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THE "ALLELUIA" AS A CHRISTIAN ACCLAMATION.

Surrexit Dominus vere: Alleluia!

—*Matins, Easter.*

Cumque intuerentur in coelum euntum illum dixerunt: Alleluia!

—*The Office of Lauds, Ascension.*

TO whichever of the reasons usually assigned for its introduction into the liturgy of the Christian Church, special prominence should be given, certain it is that this Hebrew word was as much the cry of joy for the early Christians as it was for the children of Israel in the time of Aggeus. Nay, more; for being that of the Caenaculum as well as of the Temple, it was the Christian's doubly-consecrated acclamation; with its special paschal meaning, having a wholly new mystic significance and, what it apparently had not of old, something as of a sacred virtue in its very sound. We read of miracles being wrought by its simple utterance. Through it saints were strengthed for martyrdom. It was the ordinary morning *reveille* in convents, like the *Benedicamus Domino* of our Western communities. St. Jerome tells us that children were taught to pronounce it as soon as they could speak, that the country people of Palestine sang it at their work in the fields, while, in default of bells, its sound summoned monks to the divine office, and the faithful to prayer. Even in offices for the dead it was heard; as, on such

occasions in Eastern liturgies, it is still sung for the Christian spirit's cry of victory over sin and death. At the funeral obsequies of Fabiola, St. Jerome with a kind of holy pride relates how the vaulted roof of the church resounded to this sacred acclamation, while the psalms were chanted :—"*Sonabant psalmi et aurata templorum reboans in sublime quatiebat Allelulia.*"

Nor would it be correct to assume, as many do, that its use at funerals was confined to the East in those early ages or for centuries after. We know, from the testimony of S. Gregory the Great, that the general usage of the East in regard to it and, in particular, that of the Church of Jerusalem, was through S. Jerome's influence made that of the Roman Church by Pope Damasus, who died in 384. Subsequently, according to Baronius, it was sung at the funeral obsequies of Pope Agapetus in 536. True, these must be understood to have taken place at Constantinople, where he died. Still, it would hardly have been sung at his obsequies if that was opposed to then existing Roman rite. Looking even further West than Rome, we find it in the introit of Mass for the dead in the ancient Mozarabic (Latin) liturgy of Spain, a liturgy which was brought into general use by S. Isidore, Bishop of Seville (601–636), though apparently existing long before, and was maintained in the Peninsula up to the Twelfth Century. Finally, Baronius refers to the solemn chanting of the mystic word at the burial of S. Radegonde, Queen of France in 587, and that, not as something peculiar to her case or place or time; rather as being in a general way then taken for a Christian spirit's pæan.

But to return to the early age of which we were speaking. "By the Fourth Century," says Smith (Dict. of Christian Antiquities), "it seems to have been well known as the Christian shout of joy or victory, for Sozomen tells of a voice having been heard, A. D. 389, in the temple of Serapis, at Alexandria, chanting Alleluia; which was taken as a sign of its coming destruction by the Christians." Later on, St. Sidonius, usually called "Sidonius Apollinaris," of Gaul, in one of his letters speaks of the long lines of hawlers chanting it

together by the river side as a form of "Celeusma," so familiar had the rythmic sound of it then become to all classes of the faithful, even in the West. That thought of the familiar rhythmic character of its sound inspires one of St. Augustine's most musical references to its paschal use: "*Celeusma nostrum dulce cantemus Alleluia.*" The same thought S. Paulinus, Gaul's poet-saint of the Fourth Century, thus quaintly expresses, speaking of the Fold of Christ: "*Allelulia novis balat Ovile choris.*"

Our old Irish word for "praise of worship," praise with the added sense of thank and bless, "*Aille*," would seem to indicate that the sound of the mystic acclamation was in this way closely associated with the idea of Divine praise in the minds of the faithful of the early Irish Church. In Ascoli's notes to a hitherto unpublished MS. from the library of Bobbio, being a commentary on the Psalter by an Irish Monk of the eighth century, the word turns up in connection with the old writer's comments on the Alleluiatic psalms, and, while there given as signifying not praise only, but praise and benediction (*laus et benedictio*), it is said to be "probably derived from Alleluia." The acclamatory sense of the Hebrew word itself is well brought out in a still earlier *relique* of ancient Irish ecclesiastical literature, the Alleluiatic Hymn in praise of the "Apostles, the Evangelists, St. Patrick and St. Stephen Protomartyr," by S. Cummain Fota, the great poet-prelate of Clonfert, who was born in the second half of the Sixth Century. Of this hymn I have treated elsewhere. Suffice it here to note, that for each saint there is a lauding verse of two lines, with Alleluia by way of acclamation for last word of each. The use of this sacred acclaim of the old dispensation for finale to each Christian saint's eulogium, as well as the manner in which the words of that eulogium are fitted to the thought and sound of the old Temple refrain, is highly effective. The whole shows how thoroughly the acclamatory character of the formula had entered the Irish Catholic mind of that early period.

At an earlier period still, in England, we find a remarkable case of its use as a Christian acclamation chronicled in S.

Bede's Ecclesiastical History. It was on the occasion of a battle between the Christian Britons and the Pagan Picts and Scots (429), when the Pagans were repulsed with loud shouts of "Alleluia," which the Christian army had made its war-cry. This they did at the bidding of S. Germain of Auxerre, St. Patrick's life-long friend and master, whom, indeed, it is said, our saint was actually accompanying on his visit, or rather mission, to Britain at the time of the historic event to which I have alluded, and which, it will be noticed, took place about three years before St. Patrick's own mission to Ireland. St. Germain had just been sent by Pope Celestine to the young British Church to purge it of its Pelagianism, as we should now say of its Naturalism: that insidious disease which in so many ways, now as scientific rationalism, now as social secularism, now as anti-Catholic nationalism, or, worst of all, perhaps, as enervating worldliness, sends its virus through Northern and Western, especially Western, Christian life. Possibly it is because, in the order of things, the way of the West is restless activity, pioneering, pushing on, leading the van of Mankind's advance in the natural order: grand work assuredly to be set to do, but dangerous duty; particularly for men of Keltic blood as were these Kymric Britons. For strengthening, stimulating and yet saving thought, Rome's great Envoy bade them advance, in the cause of God and human civilization, against the pagan powers of their day; but, in the spirit of the Psalmist's wholly supernatural declaration, of what has ever been the dominant in Faith's martial song: "These in chariots *trust*, and these in horses, but we will call on the name of the Lord our God," according to the Hebrew text, "*the name of Jehovah*," which is literally the affix of the Hebrew acclamation. In ancient annals, song and story, that day's victorious cry is usually referred to as "the Alleluia of Victory of the Christian Britons."

Soon after, partly owing to the invasion of the Pagan Saxons and Engels, partly owing to the spreading of the virus of what remained of its Pelagianism, leaving it unfit for resistance through martyrdom, the ancient Church of

Britain virtually disappeared. Those who in a way kept faithful, fled to the then remote wilds of Cornwall, or the still wilder mountains of Wales. The sacred acclamation, therefore, all but ceased to be heard in the land. Its revival would, accordingly, mean the return of the old faith. So, we read, when S. Gregory, before he became Pope, once walking through the market place, was told by little English slaves brought from Northumbia, that the name of their King was *Aella*, he said in his pleasing, punning way: "*Aella*—Alleluia, the praise of God, the Creator, shall be sung there soon." The musicial ear of the future Father of Gregorian chant was particularly sensitive to consonances of that kind, and he was, like S. Augustine, fond of utilizing them to give expression to his happy thought. Nor was this his only *bon mot* on that occasion, perhaps the occasion of his first happy thought touching the reconversion of England: that which soon became his life's thought, and life's great work in after years. In long after years, when England once more fell away, one of the first liturgical, or rather anti-liturgical, acts of her faithless ministers was to omit the sacred word of joy from their Psalter and service-book of Common Prayer, and in its place put a form of English words by way of translation: as though that should be more pleasing to the ears of Heaven than the ancient Paschal acclamation of the Temple, of the Caenaculum, and of Christain Churches of every rite and tongue from the beginning.

Many thought it would have been restored, at least to the text of the Psalter by the revisors of the "Authorized Version." But it was not. Even among the non-accepted suggestions of the American "Old Testament Revision Company," I do not see any suggestion to this effect. Still, I see it begins to appear in the text of Protestant private commentaries. In the text of that really fine series of independent expositions called "the Expositor's Bible" (50 vols.), I observe it is the old Hebrew word, not an English formula, which opens and closes the Alleluiatic Psalms. Then, in the Anglican Hymnal, entitled, "Hymns, Ancient and Modern, for Use in the Service of the Church," it has a large and

honored place. I am particularly glad to see it is there given in the ancient liturgical, and, it seems, to me, thoroughly correct English-literal transcription; not in the modern German-Hebrew form which would-be up-to-date English secular writers now in general affect. In other ways, too, it is returning to the lips and hearts of non-Catholic, English-speaking peoples, though absent from their Bible's Psalter and Book of Common Prayer. Already through all England's former homes of faith, judging from published Hymns, the pure old Paschal sound is heard, like the voice of returning spring, before the woods are green.

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THE BISHOP'S VISIT "AD LIMINA."

Concilii Plen. Balt. *Secundi* Decreta. Tit. II, n. 52, 53.

Concilii Plen. Balt. *Tertii* Decreta. Tit. II, n. 13, et in Appendice *Instructio S. C. de Prop. Fide*, pp. 197–202.

Commentaria in Concilium Baltimorense Tertium. Ex praelectionibus academicis excerpta auctore Nic. Nilles, S. J.—Oeniponte, 1888. Cap. I, De *Visitatione Sacrorum Liminum*, pp. 38–50.

De Visitatione Sacrorum Liminum. Instructio S. C. Concilii edita jussu S. M. Benedicti XIII, exposita et illustrata per Angelum Lucidi. (Edit. III.) Romae, 1883. Three volumes.

Kirchenrecht (Vol. II, § 82) G. Phillips, "Romfahrt d. Bischöfe." (Also in French.)

I.

The Ordinary of a diocese is not responsible for his administration to any other bishop, archbishop, primate or patriarch. The only exception to this rule is a restriction placed upon episcopal absenteeism. When a bishop wishes to leave his diocese for a longer time than two (or at most three) months, he is bound to submit in writing the reasons for his

absence to the metropolitan; or, if the metropolitan be absent, to the senior resident bishop among the suffragans. This excludes, of course, the case in which the Pope personally sanctions the reasons of absence. See *Conc. Plen. Balt. II, n. 91.*

But each and all the Ordinaries of the Universal Church, whatever their rank or title, even those who have only *quasi*-episcopal jurisdiction, such as Vicars Apostolic, are obliged to give an account of their activity and trust to the Supreme Pontiff, and to the S. Congregation of the Council, which represents the judiciary in ordinary matters of ecclesiastical discipline.

There is no possibility of shirking this obligation, or of rendering it a mere letter of law. The system which enforces it is the mainspring, not only of uniformity, but of that undying power of reform from within which characterizes the organic growth of the Catholic Church.

In taking the oath of fidelity to his pastoral duties, and of allegiance to the See of St. Peter, every bishop at his solemn consecration pledges himself in explicit terms to visit, at stated times and in person, the Sovereign Pontiff, in order to render before him a detailed account of his episcopal administration. For the American bishops the period within which the visit *ad limina* must be made is *ten* years. The same limit is set for the Asiatic continent and other countries more or less remote from Rome, the presumed ordinary residence of the Popes.[1]

1 The term *ad limina*, though formerly applied to the visits paid by Christian pilgrims to the tombs of the martyrs, and in particular to the sanctuary of the Bl. Apostles Peter and Paul, has become the technical expression for the prescribed periodical visits of the bishops These imply a three-fold act on the part of the bishop. 1. Veneration of the sacred relics of the Chief Apostles. 2. Profession of loyalty to the Holy See, and 3. An official and detailed report regarding the state of his own diocese or church. If the Pope should accidentally reside out of Rome, the visit *ad limina* is to be understood in the canonical sense: ubi Papa ibi Roma; and in that case the obligation of venerating the relics of the Apostles in the Holy City is understood to be hindered by the same difficulties which render the Pontiff's residence there impossible.

For countries less remote from the centre of Christendom the period varies. For England, Scotland, Ireland, Spain, France, Belgium, Germany, Hungary, Bohemia and Poland, it is *four* years; for Italy and the adjacent islands it is *three* years.[1]

As to the precise date from which the period, within which the *visitatio ad limina* is to be made, must be computed, Pope Sixtus V. has fixed the 20th of December, 1585; that is, the date on which his Bull was issued. Accordingly, the date of consecration or appointment (transfer) in the episcopal office does not determine the computation; but the three, four, five or ten years, set for the visit of the different Ordinaries throughout the world, are to be reckoned uniformly from the 20th of December, 1585, (exclusive). Hence if a newly-appointed bishop finds that his predecessor has not made the required *visitatio ad limina* (ex. gr. since the 20th of December, 1895, in the United States), he himself is obliged to fulfill this duty before 1905.[2]

In the same way, if the bishop finds that his predecessor made his canonical visitation in 1896, he is not obliged to make his own visit *ad limina* within that decade nor before the expiration of the next.

Should a bishop, upon his accession to the episcopal office in a diocese find that the prescribed time for the *visitatio* is close at hand (because it had been delayed by his prede-

1 The formula of the oath, as prescribed for the bishops of the United States, reads in this part as follows: *Apostolorum limina singulis decenniis personaliter per me ipsum visitabo; et Beatissimo Patri nostro Leoni XIII. ac successoribus praefatis rationem reddam de toto meo pastorali officio ac de rebus omnibus ad meae Ecclesiae statum, ad cleri et populi disciplinam, animarum denique quae meae fidei traditae sunt salutem quovis modo pertinentibus; et vicissim mandata Apostolica humiliter recipiam et quam diligentissime exequar.*

2 This has been explained in a letter of the S. Congregation *de Propaganda Fide* addressed to the Bishops of Ireland in 1802, and again to one of the American Archbishops in 1865: "Triennia, etc., decennia ita esse computanda, ut initio sumpto a die, quo praedicta Constitutio edita fuit, nimirum a 20 Dec. 1585, *perpetuo et sine alia interruptione pro omnibus successoribus Episcopis decurrant.*"

cessor), so that it is either difficult or impossible to prepare a statement regarding the condition of his diocese, he can apply to the Holy See for a special prolongation of the time. Such prolongation of time, however, is understood to be for a particular instance only, and does not change the general rule to be observed in all future visits.

Should a bishop, for any legitimate reason be prevented from fulfilling the obligation in person, he may appoint a *procurator* in his place, who is instructed in regard to all the details of the diocesan administration. The procurator must be an ecclesiastic, but may be chosen from the regular, as well as the secular, clergy. [1] Among the causes which excuse the Ordinary from complying in person with the obligation of making the stated *visitatio ad limina* are extreme old age, sickness, war or pestilence in the countries which he has to traverse, and in general, such conditions as would endanger the life of travellers. [2]

Coadjutor Bishops and *auxiliaries* may regularly perform the duty of the *visitatio ad limina* for the Ordinary to whom they are attached as permanent assistants. [3]

Titulary Bishops (i. p. i.), if they do not reside in the territory of their titular diocese, are presumed to be free from the obligation of making the regular visit *ad limina*, even though they have taken the oath; because they are, for the time being, without any charge which would serve as object of the visit. If they reside in their nominal diocese (in parte infidelium) they are expected to make some report of the condition of their See within the stated period, either personally or through a resident procurator in the Roman Curia.[4]

1 Formerly regulars were debarred from acting in the capacity of procurator for the Ordinary, unless it could be proved that there was a dearth of secular priests in the diocese; but the present discipline makes no distinction. (De Syn. Dioec. L. XIII, cap. vi, n. 3.)

2 Catalanus Comment. Pont. Rom. I ad 9.

3 Pontif. Clemens VIII die 25 Febr., 1592, respondit, satis esse ut vel Episcopus ipse, vel coadjutor illius nomine visitationem expleret et relationem status ecclesiae suppeditaret, idque, teste Benedicto XIV relatum fuit in acta S. C. Concilii, Lib. 73. Suppl. libell, pag. 28.

4 Lucidi, vol. i, 60, nota.

An Ordinary, whatever his rank, who neglects to fulfill this obligation within the stated period, and without having made known his reasons to the Holy See, is *ipso facto* suspended from his office as administrator of the diocese in spirituals, and forfeits all right and title to the ecclesiastical emoluments of his position. The penalty takes effect only when the last day of the term set for the *visitatio* has expired ; and excludes cases of accident, which are to be explained to the Holy See.

When the visit to the Sovereign Pontiff *in obedientiae testimonium* and the *relatio status animarum* have been made, the Bishop (or his procurator) is expected to pay a visit to St. Peter's *in Vaticano*, and to St. Paul's *extra moenia.*

These visits were formerly recorded by certificates obtained from the Canon of the Vatican Chapter, and from the Vicar Cassinensium, then in charge of St. Paul's, and deposited with the Secretary of the Congregation of the Council. To-day it is deemed sufficient to make the visits and then call on the Cardinal Prefect or the Secretary of the S. Congregation, mentioning the fact.[1]

II.

The principal object of the *visitatio ad limina* is, as has already been stated, to satisfy the two-fold obligation of expressing formal obedience to the Church in the person of its highest Pontiff, and of rendering an account of the manner in which the local Church, over which the Bishop rules, has been administered.

This account is called the *relatio status ecclesiae*, and embraces the entire pastoral activity of the Bishop, showing the actual condition of the different churches and diocesan institutions, the state of discipline among the clergy and people, and all those varied works which indicate the actual progress of the local Church in the care of souls on the part of its chief pastor. This *relatio* is to be presented in writing, and the presence of the Bishop (or his responsible substitute) is

1 Lucidi, l. c. n. 69.

required at the time of its presentation, so that he may answer all questions regarding details, and receive corresponding instructions from the Pontiff, and the S. Congregation by whom the examination of the *relatio* is made.

But as it might easily happen that an official report of this kind prove needlessly minute in details of secondary import, or, on the other hand, deficient in what is essential for forming a correct estimate of the *status ecclesiae*, the Holy See has definitely laid down the lines upon which the report is to be based. This is done in an Instruction of the S. Congregation of the Council addressed to all bishops, archbishops, primates and patriarchs, who are obliged to formulate their reports according to the prescribed schema or plan.

The schema consists of nine paragraphs, in which, under distinct numbers, are grouped all the topics on which explicit statements are to be made. The paragraphs are as follows:

1. THE MATERIAL CONDITION OF THE CHURCH.

Under this head are included (in eleven questions) the erection and geographical limits of the diocese, the number of cities and towns having parochial churches, the character of the Cathedral church and its sources of income; the same regarding all other churches, and whether they are properly provided so as to maintain in a becoming manner the carrying out of the divine service; the number and character of religious communities; the diocesan Seminary, number of students, how supported; the number of colleges, hospitals and other charity institutions, manner of support.

[The leading items as to erection, boundaries, etc., which remain unchanged, need not be repeated, after they have been once given, in subsequent reports, unless expressly asked for.]

2. PERSONAL ITEMS REGARDING THE ORDINARY WHO SUBMITS THE REPORT.

This embraces statements as to his habitual residence in the diocese, according to the prescriptions of the Tridentine Canons; whether he has made the periodical visitation of the different churches and institutions of his diocese; whether he ordains and confirms in

person, or leaves that duty to his coadjutor or auxiliary; how often and when he has held diocesan or provincial synods, according to the Council of Trent, and who of his suffragans attended; whether he has a care that the duty of preaching be performed in the churches of his diocese by capable men; what are the nature and amount of the *taxa* required by him, and to what use put; what he has done in the way of particular works for the benefit of the Church, and to raise the piety of his clergy and people.

He is also to state whether there are any special difficulties with which he has to contend in his episcopal office, such as interference with his jurisdiction, etc.

3. CONDITION OF THE SECULAR CLERGY.

The first five sections of this paragraph relate to the Canonical offices of Cathedral chapters and beneficiaries, and inquire regarding the exact and punctual fulfillment of the different offices. Then follow questions as to whether

Parish priests reside in their parishes; whether they keep regular records regarding marriages, baptisms, etc., as prescribed in the Roman Ritual; whether there is a sufficient number of resident clergy in each parish; whether they instruct their people by sermons, catechetical schools, and who assist them in the instruction of the children; whether they apply the mass for people on prescribed days; what is done for the young who are to be admitted to the Seminary, and later on for those who are to receive sacred orders; whether the clergy have regular ecclesiastical conferences, how often, who are bound to attend, what fruits are reaped from the practice as conducted; what is the moral condition of the secular clergy; and if there be any scandal what remedies could be applied.

4. THE REGULAR CLERGY.

The paragraph covers four points, namely:

The character of the pastoral work done by the religious of the different Orders in the diocese; whether there are any religious practically separated from the community to which they belong, and, in case the Bishop had found it necessary to prevent scandal,

what measures he has taken in such cases; report of the moral status of the different communities which are subject to episcopal visitation. Finally, whether there is any difficulty in the matter of jurisdiction arising out of a certain autonomy on the part of the religious.

5. RELIGIOUS COMMUNITIES OF NUNS.

The report briefly explains the kind of Rules and Constitutions adopted by the different religious communities of women. It then answers inquiries regarding

The observance of the Rules and Constitutions by each community; whether there exist any traditional abuses; how convents are administered in the temporal order; whether they are provided with confessors ordinary and extraordinary; whether the accounts of superiors as to their administration are properly audited; whether the censures of the Church are rightly used to correct the evils of disobedience and discord in any religious community.

6. THE DIOCESAN SEMINARY.

This chapter consists of an examination which covers seven points, namely:

The number of students; the character of ecclesiastical discipline observed in the Seminary; the extent of the mental culture, the various branches of study, and the results of pertinent experiments in this sphere; whether the students assist at the Cathedral services; whether the Bishop consults with the senior canons appointed as counsellors in the direction of the seminary; what he does to further the observance of its Rules and Constitutions; whether there is remissness on the part of any to support the Seminary by a just tax.

The seventh and eighth paragraphs inquire into some special means of fostering Catholic life in the community. The one is entitled, *De capite ad ecclesias, confraternitates et loca pia pertinente.* The other demands a general statement as to the piety and morals of the people; and in case there are any flagrant abuses or evil habits, the Holy See

wishes the Bishop to seek counsel and aid from the Holy See, towards counteracting said scandals.

The ninth and final paragraph of the *relatio* covers particular demands, and causes of contention which the Bishop may have to present. If there are any other points which do not come under the foregoing heads, but which are of importance in the mind of the Ordinary, he is invited to append a statement of them to the *relatio.*

The S. Congregation, on its side, pledges itself to a charitable and just examination of all the details of the account presented. Where there is a doubt or disagreement on any grave point, the matter is referred to the Sovereign Pontiff as Supreme Judge and Pastor of the flock.

III.

One cannot read the chapters in Lucidi, or any other work on this subject of the *Visitatio ad Limina*, without feeling how secure the Church rests upon the system of administration built up by superhuman wisdom. The Latin tongue becomes the medium of all the pastors who lay their statements before the throne of the Chief Pastor, the Vicar of Christ. He acts, appoints and judges, with men around him who are trained, if not forced, to impartiality by the very nature of the information which they receive, and the details of whose methods are all calculated to prevent any continuous abuse of authority, or concerted bribery. There is no court like it in all the world. Then, thoughtless men sometimes say that Rome knows nothing of the far away lands over which she exercises jurisdiction ; that she cannot take in the conditions because of the distance. As a matter of fact, she knows, knows often better than the men at home, what is going on in the distant lands whence her bishops constantly come to her to render their accounts. It is true, she does not always respond in the language with which the mind of other regions is most familiar ; she is, moreover, often slow. But that is a characteristic of all wise judges, and of God Himself. It may not suit an impatient age, which, seeing

but a small surface of the things at stake, would render judgment upon partial evidence, and break the things that will not bend. But, after all, the judgments of the Church are not of forms and figures, but of men's principles, which she would harmonize with the principles of Divine truth as taught us by God. And as far as she needs unto this end measure distances and note externals, she does so by the system of hearing each of her pastors, the princes of a true democracy, consulting the welfare of souls and weighing out justice in the balance of eternity.

Ὁ ΘΑΡΣΕΥΣ.

THE PAPAL BULL ON THE INVALIDITY OF ANGLICAN ORDINATIONS.

(*Conclusion.*)

XXXI.

INTIMATELY connected with the defect of form, of which we have spoken in the preceding paragraphs, is the defect of a proper intention in the Anglican Ordinations. Such intention is absolutely required for the validity of all the Sacraments. "If any one saith, that in ministers, when they effect and confer the Sacraments, there is not required the intention at least of doing what the Church does: let him be anathema,"[1] is the defined teaching of the Council of Trent. Indeed, this is the teaching of the leading Anglican canonists,[2] and it is contained in the very idea of a human act, such as

1 "Si quis dixerit in ministris, dum sacramenta conficiunt et conferunt, non requiri intentionem faciendi saltem quod facit Ecclesia: Anathema sit." *Decretum de Sacramentis* Sess. VII, can. 11.

2 *O. J. REICHEL, A Complete Manual of Canon Law*, London, 1896, pp. 11-12.

that is which the minister of the Church performs in the rite prescribed by her.[1]

Of the existence of this intention, as the Bull expressly notes, the Church judges only in so far as it manifests itself externally: "*The Church does not judge regarding the mind and intention as something by its nature internal; but in as much as it is manifested externally she is bound to judge concerning it.*"[1] Hence, the Church holds that, whenever the minister of the Church performs, in a serious manner, the sacramental rites prescribed by her, making use of the matter and form of which she makes use, he has the requisite intention. For this reason, whilst the Church has never recognized the validity of a Sacrament conferred by persons in a state of insanity or intoxication, or in play, she has always accepted Baptism, conferred by non-Catholics, even by pagans, whenever it could be clearly shown that such persons had, in baptizing,s eriously used the Sacramental form, together with what is called the *materia proxima* of the Sacrament.

For the same reason the Church has never doubted the validity of the Ordinations conferred by criminal, heretical or schismatical Bishops. She accepts as valid the Orders of the Nestorians, of the Monophysites and of the other dissenting Orientals. In all these cases, as St. Thomas says, the minis-

1 "An inanimate instrument has no intention relative to the effect, but in place of intention there is the motion communicated to it by the principal agent; a living instrument, however, such as the minister of a sacrament, is not merely moved, but also in a measure moves himself, in as much as by his own will he determines his members to act; and so there is required in him an intention, that namely whereby he subjects himself to the principal agent; in other words, he must intend to do what Christ does, and the Church." ("Dicendum quod instrumentum inanimatum non habet aliquam intentionem respectu effectus, sed loco intentionis est motus quo movetur a principali agente; sed instrumentum animatum, sicut minister Sacramenti non solum movetur, sed etiam quodammodo movet seipsum in quantum sua voluntate movet membra ad operandum; et ideo requiritur eius intentio, qua se subiiciat principali agenti, ut scilicet intendat facere quod facit Christus et Ecclesia.") *ST. THOMAS, Summa Theologica*, P. III, quaest. 64, art. 8 ad 1.

2 *De mente vel intentione, utpote quae per se quiddam est interius, Ecclesia non iudicat; at quatenus extra proditur, iudicare de ea debet.*

ter of the Sacrament, from the fact that he deliberately uses in a serious manner the rite approved by the Church, is supposed to act as her representative: "*In the words which he pronounces*, which are the words of the Church, *the intention of the Church is expressed, which suffices for the conferring of the Sacrament, unless the contrary is outwardly expressed.*[1]

But if the heretical minister of the Sacrament, in order to maintain his error, *purposely* corrupt or reject the Catholic rite, and in conferring the Sacrament use a *new* form, which *excludes* the signification of the Catholic forms, can he be supposed to have the intention required for the validity of the sacrament, that is, *of doing at least what the Church does?*

This is the question which distinctly confronts us when we discuss the validity of the Orders conferred by Anglican Bishops according to the rite introduced by Edward VI.

XXXII.

There is but one answer to the question just mentioned in the preceding paragraph, and it is the answer given by Julius III in 1553-1554, by Paul IV in 1555, by Clement XI in 1704 and recently by Leo XIII in his Bull of September 8, 1896: "If the rite be changed, with the manifest intention of introducing another rite not approved by the Church, and of rejecting what the Church does, and what, by the institution of Christ, belongs to the nature of the Sacrament, then it is clear that not only is the necessary intention wanting to perform the Sacrament, but that the actual intention is destructive of the very idea of a true Sacrament."[2]

The doctrine thus clearly expressed by Leo XIII, we find laid down with equal precision as early as the year 746 by

1 *In verbis autem quae profert exprimitur intentio ipsius Ecclesiae, quae sufficit ad perfectionem sacramenti, nisi contrarium exterius exprimatur.* Summa Theologica, l. c., art. 8 ad 2.

2 "Si ritus immutetur, eo manifesto consilio ut alius inducatur ab Ecclesia non receptus, utique id repellatur quod facit Ecclesia et quod ex institutione Christi ad naturam attinet sacramenti, tunc palam est non solum necessariam sacramento intentionem deesse, sed intentionem immo haberi sacramento adversam et repugnantem."

Pope Zachary. He was informed by two ecclesiastics, Virginius and Sidonius,[1] that a certain priest of their province in Bavaria (Baioariorum) "whilst baptizing, through ignorance of the Latin language,[2] mutilated the form, saying *Baptizo te in nomine patria et filia et Spiritus Sancti;* and that St. Boniface, Archbishop of Mayence, judging such a baptism invalid, had ordered them to re-baptize all who had been baptized by said priest in that manner. Accordingly, Pope Zachary wrote to St. Boniface the celebrated instruction of July 1, 746, recorded also in the Decree of Gratian,[3] in which he says: "Most Holy Brother, if he who baptized pronounced that form, *not to introduce error or heresy*, but simply mutilating the words on account of his ignorance of the Roman tongue, we cannot give our consent that they should be re-baptized."[4] The Pontiff, therefore, recognizes the fact that if the aforesaid corruption of the form had been the result of deliberate purpose to introduce error and heresy, instead of being, as was the case, due only to ignorance of the idiom, the Sacrament would certainly have been invalid. In other words, the Pontiff declares, in the aforesaid hypothesis, that a deliberate change implying the corruption of the sacramental form is an argument that he who uses it does not intend to do with it what the Church does with her form.

XXXIII.

St. Thomas, that faithful interpreter of Catholic tradition, reasons in the same manner. Speaking of the validity of the sacramental form, when the determined words of which it is

1 Both became Bishops afterwards, Virginius of Salzburg, and Sidonius of Passau. Cf. *P. JAFFÉ, Monumenta Moguntina*, Berlin, 1866, p. 167, notes 3 and 4.

2 "Dum baptizaret, nesciens latini eloquii, infringens linguam."

3 Part III. *De Consecratione*, Dist. IV, can. 86. The text cited by us is that published by *JAFFÉ* in his *Bibliotheca Rerum Germanicarum*, Tom. III, *as above*, p. 168.

4 "Sanctissime frater, si ille qui baptizavit *non errorem introducens aut haeresim*, sed, pro sola ignorantia romanæ locutionis infringendo linguam, ut supra fati sumus, dixisset, non possumus consentire ut denuo baptizentur."

composed *are pronounced corruptly* (*corrupte proferuntur*), the holy Doctor distinguishes accurately, as Pope Zachary had done before him, the cases in which it happens through ignorance from those in which it is done with a deliberate purpose. "He who mutilates the sacramental words, *if he does this purposely*, appears not to intend to do what the Church does; wherefore it seems that in such a case the Sacrament is not conferred."[1]

Afterwards, treating *ex professo* this same question, namely, whether the form of the Sacrament can be changed, either by adding or subtracting anything, without rendering it thereby invalid, he teaches that: "Concerning all those changes which may obtain in the forms of the Sacraments, two things it seems must be considered; one on the part of the person who pronounces the words, whose intention is required for the Sacrament; and therefore *if he intends* by such addition or subtraction *to introduce a rite which is not received by the Church*, it would seem that the Sacrament is not conferred; because *he seems not to intend to do what the Church does.*"[2]

According to Gasparri[3] the most eminent theologians like Cardinal De Lugo[4] among the old, and Cardinal D'Anni-

1 Dicendum, quod ille qui corrupte profert verba sacramentalia, *si hoc ex industria facit*, non videtur intendere facere quod facit Ecclesia; et ita non videtur perfici sacramentum."—*Summa Theologica*, P. III, quæst. 60, art. 7. ad 3.

2 "Circa omnes istas mutationes quæ possunt in formis sacramentorum contingere, duo videntur esse consideranda; unum quidem ex parte eius qui profert verba cuius intentio requiritur ad sacramentum; et ideo *si intendat*, per huiusmodi additionem vel diminutionem, *alium ritum inducere qui non sit ab Ecclesia receptus*, non videtur perfici sacramentum; quia *non videtur, quod intendat facere id quod facit Ecclesia*." *Ibid*, art. 8. *Respondeo dicendum.*

3 *De la valeur des Ordinations Anglicanes*, Paris, 1895, p. 25.

4 *De Sacramentis in genere*, Disp. II, no. 116. Lyons, 1670, p. 32. There *DE LUGO* correctly observes that "St. Thomas does not universally deny the validity of a Sacrament administered with the intention of introducing a *new* rite, but he infers by argument the probable defect of the requisite intention." ("St. Thomas non negat universaliter valorem Sacramenti cum intentione inducendi *novum* ritum, sed arguitive infert probabiliter defectum debitae intentionis.") That is true only with reference to the *novelty* of the rite, not when there is question of a *signification opposed* to the Catholic rite.

bale[1] among the more recent, argue in the same manner. The latter writes: "The teaching of certain persons who hold that a Sacrament is not valid if the minister changes anything accidentally, (and *a fortiori* if there is question of a *substantial* change) in order to introduce a new rite or error, necessarily rests on the assumption that such a minister is not supposed to have the intention of doing what the Church does. . . . The question, therefore, is based on an assumption, and deals with a fact, not with a question of right."[2]

This view of the case is fully justified when we consider that in the forms of the Sacrament account is to be taken, not only of the material form of the words, for example, whether grammatically they be of the masculine or feminine gender, whether they can be understood in this or that sense; but we must *also*, and mainly attend to the particular, or, if I might say so, concrete signification, given to them by him who pronounces them. When, therefore, such words in the ordinary language of the minister who uses them, and taking into consideration the scope for which they were introduced and are used by him, have a signification evidently opposed to that which has always been given to them by the Church, we may justly conclude that such a minister wishes to do the contrary of that which the Church does; it would be absurd to suppose that he intends to conform to her rite.

XXXIV.

Now this is what happened with the Orders conferred according to the *Ordinal* of Edward VI. That the said *Ordinal*, compiled by notorious opponents of the Catholic faith, and substituted, on the mere authority of lay-persons, for the Catholic Pontifical, differs entirely from the latter, is

1 *Summula Theologiae moralis*, Vol. III, § 241, note 21. Rome, 1892, p. 209.

2 Quod autem quidam docent sacramentum non valere si minister immutaverit aliquid accidentaliter, (*a fortiori* se si trattasse di una mutazione sostanziale), ut novum ritum vel errorem introducat, sic accipiendum est quia non creditur habere intentionem faciendi quod facit Ecclesia. . . . Quaestio igitur in praesumptionem recidit; et facti non juris est.

a fact generally admitted.[1] It is likewise well known that the Ordinal differs from all the ancient Pontificals of the East and West, whose forms are recognized as valid by the Church, and preserved also by the schismatic and heretical sects. This we have clearly shown from unquestioned evidence.[2] Indeed, it was precisely because none of these various Rites answered the taste and intentions of the Anglican reformers, that they disregarded them and introduced the new *Ordinal.*

Moreover, it is an undoubted fact that all the liturgical innovations, especially those which have reference to the rite of Ordination, were due, not to chance, or mistake, or ignorance, on the part of the compilers of the *Ordinal*, (they were Cranmer, Ridley, Goodrich, Holbeach, Taylor and others), but to the *deliberate* purpose of excluding from the new forms every thing which might contradict, or in any way conflict with the doctrines which they professed.[3]

Thus the English Reformers, whilst repudiating the Catholic doctrine concerning the existence and the nature of the Sacrament of Orders, as their acts and their writings attest,[4] also made every effort to eliminate from the forms of consecration all expressions which would define either the Order or the power to be conferred thereby. This accounts for the vague and undetermined forms in the Ordinal mentioned before.[5] That this proceeding was not merely a mistake

1 Cf. *G. W. CHILD, Church and State under the Tudors*, London, 1879. pp. 114–117; *ESTCOURT, The Question of Anglican Ordination Discussed*, London, 1873, *passim.*

2 Paragraph XXIV.

3 See *DOM GASQUET, Edward VI, and the Book of Common Prayer*, pp. 261 and foll.; *N. POCOCK, The Principles of the Reformation*, etc., London, 1875, pp. 12 and 19; *The English History Review*, October, 1886.

4 *BURNET, History of the Reformation*, vol. I, page 461 and vol. IV, page 471; *HUNT, Religious Thought in England*, vol. I, p. 43. Cf. *CHILD op. cit.* Appendix pp. 293-304. A full collection of the opinions of the compilers of the Ordinal was prepared for the use of the Roman Commission by the English theologians *MOYES, GASQUET* and *DAVID FLEMING*. We were able to consult it, and verify the accuracy of the assertion made in the text.

5 Paragraph XXIII.

due to some irresponsible individuals, but rather an error openly proclaimed, is clear not only from the testimony of English writers at that time, but from the explicit declaration found in the twenty-fifth of the *Thirty-nine Articles of Religion*, which were compiled and substituted for the *Profession of Catholic Faith* at the time when the new *Ordinal* took the place of the ancient Catholic Pontifical. Here is the text: "There are *two Sacraments ordained* of Christ our Lord in the Gospel, that is to say, Baptism and the Supper of the Lord. Those five commonly called Sacraments, that is to say, Confirmation, Penance, *Orders*, Matrimony and Extreme Unction, *are not to be counted for Sacraments of the Gospel*, being such as have grown, partly of the *corrupt* following of the Apostles, partly are *states of life* allowed by the Scriptures; but yet have not like nature of Sacraments with Baptism and the Lord's Supper, for that they have *not any visible sign* or ceremony ordained of God."[1]

Having denied the truth of the Sacrament of Orders, it was natural that the compilers of the *Ordinal* should also repudiate the dogmas intimately connected with this Sacrament, which are the Real Presence of Jesus Christ in the Eucharist, the Priesthood properly so-called, the Sacrifice of the Altar. They excluded, therefore, from their new Liturgy the *Mass*, decreeing that "the Sacrifices of Masses, in which it was commonly said that the Priest did offer Christ for the quick and the dead, to have remission of pain and guilt, *were blasphemous Fables and dangerous Deceits.*"[2] Thus it became their object to eliminate from their official service-book all those ceremonies which presuppose these dogmas, or refer to them, such as the consecration with the holy oils,[3] the *traditio*

1 *Book of Common Prayer*, London, 1731.

2 The Thirty-first of the *Thirty-nine Articles of Religion*. See paragraph II. *Note*.

3 The Catholic Pontifical used in England before the Reform of Edward VI, in the *Admonition to the Priests*, has the following words: "The hands of the Priests are anointed, like those of the Bishops, that *they may know that by this sacrament they receive the grace of consecrating*." ("Unguntur presbyteris manus, sicut Episcopis, ut *cognoscant se hoc sacramento gratiam consecrandi accipere.*")

or the delivering of the instruments,[1] and so forth. A comparison of the Ordination-rite according to the Catholic Pontifical with that which is given in the Edwardine *Ordinal*, will at once reveal how carefully the latter avoids every mention of the *Priesthood*, the *Priest*, the *Altar*, the *Sacrifice*, and how systematically the formulas and prayers referring to the things which the Church has always and everywhere expressed by these terms, were mutilated, adulterated or wholly omitted.[2]

To pretend, therefore, that an Anglican Bishop, ordaining with a rite which is the practical negation of the Catholic rite, can intend to do what the Catholic Church does, is to maintain that two forms not only different, but opposed in their nature and signification, may be used to produce the same formal effect.

XXXV.

It may be asked: What does the Church in the West and East intend, and what has she always intended, to do when conferring on her ministers the Sacrament of Orders? From her explicit declarations, particularly her Liturgies, it is quite clear that she intends, and has always intended, to do that which Christ did at the Last Supper, that is, to ordain *true Priests*[3], who would have not only the power to preach

1 In the same Pontifical the candidate for Priesthood is admonished that those who are to be ordained "receive the chalice with wine, and the paten with hosts from the hand of the Bishop, in as much as by these instruments *they may know that they have received the power of offering propitiatory victims to God; for to them it belongs to celebrate the Sacrament of the Body and Blood of the Lord on the Altar of God.*" ("Accipiunt et calicem cum vino et patenam cum hostiis de manu Episcopi, quatenus his instrumentis, *potestatem se accepisse agnoscant placabiles Deo hostias offerendi: Ad ipsos namque pertinet sacramentum Corporis et Sanguinis Domini in Altare Dei conficere.*")

2 See on this point the excellent work of *P. SYDNEY F. SMITH, Reasons for Rejecting Anglican Orders.* London, 1895, pp. 69 and foll.

3 All the Orders admitted by the Church refer to the *Priesthood.* "If any one saith, that, besides the Priesthood, there are not in the Catholic Church other Orders, both greater and minor, by which as by certain steps, advance is made into the Priesthood; let him be anathema." *Conc. Trid.* Sess. XXIII, *De Sacramento Ordinis*, can. 2.

the word of God, and to administer the Sacraments, but who would also be endowed with the visible and external *sacerdotium* instituted by Christ our Lord,[1] to consecrate and offer on the Altars, His true Body and Blood, under the species of bread and wine. The Council of Trent speaks thus: "Christ declaring Himself constituted a Priest forever, according to the order of Melchisedech, offered up to God the Father His own Body and Blood under the species of bread and wine; and under the symbols of those same things He delivered (His own Body and Blood), to be received by the Apostles, *whom He thereupon constituted Priests of the New Testament;* and by the words: 'Do this in commemoration of Me,' He commanded them and *their successors in the priesthood*, to offer in like manner." Such has been the sense and invariable teaching of the Catholic Church.[2]

Is it, indeed, this which the compilers of the *Ordinal* had in mind, and the Anglican Bishops intend to do, when they consecrate and ordain according to the form of the English *Ordinal?* If so, why did the framers of the *Ordinal purposely* change the ancient forms in every detail which referred to the Priesthood; and why do the Anglican Bishops deliberately employ the forms thus mutilated? Why did they, after having abandoned the Catholic Pontifical and all the ancient rites, introduce *a new rite not acknowledged by the Church*, and why do they still make use of it?

The answer is clear. They did so and continue to do so, because they positively excluded and still exclude the *Sacerdotium*, properly so called. They wished and still wish, by

1 "That a visible and external priesthood was instituted by the same Lord Our Saviour, . . . the tradition of the Catholic Church has always taught." *Ibid.* Chap. 1."

2 Christus sacerdotem secundum ordinem Melchisedech se in aeternum constitutum declarans, corpus et sanguinem suum sub speciebus panis et vini Deo Patri obtulit; ac sub earundem rerum symbolis Apostolis, *quos tunc Novi Testamenti Sacerdotes constituebat*, ut sumerent tradidit; et eisdem, eorumque *in sacerdotio successoribus* ut offerent praecepit per haec verba: Hoc facite in meam commemorationem, *uti semper catholica Ecclesia intellexit et docuit.*" *Conc. Trid.* Decretum de Sacrificio Missae, Sess. XXII, cap. 1.

using that form and rite, to constitute simply a minister, who *is called* a Presbyter or Bishop; but they never purposed, nor do they do so at present, to make a *true priest.* The genuine Anglicans, those that are not *Ritualists*, confess it openly and honestly. A writer in the *Speaker* says:[1] "The majority of English Anglicans never supposed that their clergy possessed the powers peculiar to the Roman Catholic priesthood, and they have always repulsed every pretension of authority founded on such sacerdotal power." Another writes:[2] "With the Reformation the heads of the Church of England separated deliberately and effectively from the Church of Rome, repudiated her teaching on the Priesthood and Episcopate, *and, therefore, never had, in ordaining, any intention of conferring a priesthood*, since they considered *sacerdotalism* an injury to the priesthood of Christ, without foundation in Scripture, and repugnant to all the cardinal doctrines of the Gospel." A third[3] adds: "The ecclesiastic in the Church of Rome is *a true priest* whose principal office is to offer the Sacrifice of the Mass. On the other hand, the ecclesiastic in the Anglican Church is *in no manner a priest*, although he is so called; he is *only* a Presbyter." A fourth states:[4] "We do not believe in Orders in the Catholic sense. We regard the laying on of hands as merely the formal admission into the ministry of a particular denomination, and in an Episcopal Church we receive the commission to minister to the people from the chief officer, the Bishop. . . . We have the tacit confession of our Church herself; Bishops, priests and sacrifices do not exist in the Church of England. . . . . Do what we will, we *cannot* offer sacrifices. *We are only ministers*, like our brethren in the Nonconformist churches."

It was, therefore, with good reason that Cardinal Vaughan, Archbishop of Westminster, could write not long ago to an

1 September 26, 1896. 2 *The Rock*, September 25, 1896.

3 *DR. RYLE*, Anglican Bishop of Liverpool, in *The Guardian*, November 4, 1896.

4 The Vicar of Hexton, in *The Echo*, quoted by *The Tablet*, December 19, 1896, p. 975.

Anglican: "You can never get over the historical and doctrinal fact that for 300 years the Anglican Church has cast aside the essential character of the Catholic rite of Ordination, and has used instead a form that was deliberately intended to exclude the idea of a sacrificing priesthood."[1]

To say, therefore, as it has been repeatedly said, that he, who ordains according to the *Ordinal* of Edward VI, seriously intends to ordain *true priests*, as Christ did and as the Church has always done, is a broad absurdity.[2]

Hence Franzelin justly observes: "Since the Sacraments of the New Law are *visible efficacious signs* which effect what they signify, it is absurd to say that the visible rite *from which is excluded the signification of the sacerdotal power*, is a Sacrament by which this very power is to be conferred."[3]

XXXVI.

From what has been hitherto said, the futility of Mr. Lacey's argument against the Bull of Leo XIII becomes apparent.[4]

According to him the Bull in its doctrinal part is developed within the narrow bounds of a vicious circle, by proving the invalidity of the form from the defect of a proper intention, and *vice versa*. He says: "The two arguments, com-

1 Letter to Mr. Howell, October 2, 1894. See *The Tablet* of Oct. 13, 1894, p. 581.

2 The same must be said of the assertion of those who pretend that the compilers of the *Ordinal*, by abolishing the Priesthood and the Sacrifice, and by rejecting the ancient rites for a new one which would correspond to their heresy, desired merely to restore the rite of Ordination to its primitive institution of Apostolic times.

3 "Cum sacramenta novae legis sint *visibilia signa efficacia*, illud operantur quod significant: absurdum ergo est, ritum visibilem *in quo excluditur significatio potestatis sacerdotalis* conferendae, esse sacramentum ad hanc ipsam potestatem conferendam. *Votum* of February 25, 1875, p. 9., Archives of the Holy Office.

4 Contemporary Review, *The Sources of the Bull*, December, 1896, pp. 793–803.

bined, will make an excellent circle. Read apart, they leave us wondering what the Bull does mean."

Whatever may be said regarding the mind of other readers, it is certain that at least Mr. Lacey and those of his Ritualistic brethren, who endeavored by all possible means to prevent the publication of the Bull,[1] have perfectly understood "what the Bull does mean." A simple-minded person might think them ingenuous; a malicious person would say that, although the meaning of the Bull is clear to them, they do all in their power by frivolous objections and sophisms to obscure it for others. But we cannot believe the one, nor are we willing to affirm the other; but we assert that the aforesaid accusation of Mr. Lacey is absolutely false, since, just as the invalidity of the form is not proved from the defect of intention, so the defect of intention is not proved from the vitiated form. The invalidity of the Anglican form is proved, as we have seen in the preceding article, from the fact that said form, considered in itself and in those historical adjuncts which determined its compilation, is vague and indefinite that it is wanting in the most essential elements and in those that are common to all the Catholic forms; that it omits that element which of its very nature the form of the Sacrament of Orders ought to signify. In all this the heretical intention of the minister, who actually uses the form, does not enter; the form would be and would remain invalid, even if the Anglican minister wished to do that which the Catholic Church does by the use of its form.

Likewise, the defect of the proper intention in the Anglican minister is not deduced from the mere fact that he uses an invalid form in the Ordinations, but rather from the fact, repeatedly emphasized by us, that in conforming himself seriously to his *Ordinal*, he makes use of a form which he knows has been *purposely* changed and deliberately substituted for that of the Catholic Pontifical, in order *to intro-*

1 Note what we have said of the actions of Messrs. Lacey and Puller in Rome, *Paragraph V, note.* To become convinced of the facts one need but read Mr. Lacey's statements in his article, regarding his relations with several of the Cardinals and two members of the Roman Commission.

duce a new rite, that is, a rite different from, and, in its adequate signification, *opposed* to that used, both by the Roman Church, and by all the Churches of the East and West from the earliest times down to our own day. Let Mr. Lacey read the Bull of Leo XIII once more, attentively, and he will be convinced of the grave error into which he himself has fallen.

XXXVII.

We do not intend to refute in detail all the assertions more or less wanton and false with which the article of Mr. Lacey in the *Contemporary Review* abounds. Nor is it necessary, in view of what has been said and proved in these papers. There is, however, one grave accusation which we cannot allow to pass. Mr. Lacey accuses the Holy Father of an *extraordinary blunder*[1] in as much as the latter asserts in his Bull that *in 1704* the practice to be followed, wherever *the traditions of the instruments* was omitted in the Ordinations, had already been established.

Before examining the "proof" with which Mr. Lacy sustains his accusation, it will be well to state that the assertion of the Bull referred to is founded on numerous decisions given by the Congregation of the Holy Office before 1704. If all decisions with their acts and theological opinions (*vota*) were published, they would fill at least two large folio volumes. We have already referred to the existence of these documents,[2] with the precise indication of their dates (1603-1699) and of the general title under which they are found collected and preserved in the Archives of the Holy Office. Let us cite one of them, belonging to the year 1697. Mgr. Scanagatta, Bishop of Avellino, suffering with gout in the hands, had for some time in conferring Orders omitted the tradition of the instruments prescribed by the Pontifical. His Eminence Cardinal Orsini, then Archbishop of Bene-

1 *Ibid.* p. 799. 2 *Par.* XX.

vento, afterwards Pope under the name of Benedict XIII, having heard of the practice, referred the case to the Congregation of the Holy Office, asking, as the acts state, *not indeed whether the ordinations were to be repeated, but whether they were to be repeated absolutely or conditionally.*[1] The difficulty was solved by the following Decree: "Thursday, August 1, 1697, the doubt having been again proposed and maturely discussed, whether the ordinations conferred by the Bishop of Avellino, who himself did not hand the instruments or the matter of the subdiaconate, diaconate, priesthood respectively, are null and invalid, and whether the aforesaid ordained to Sacred Orders, *must be ordained absolutely or only conditionally:* His Holiness (Innocent XII), having heard, etc., *decreed* that in the case in question, it is safer, *that the conferring of the Sacred Orders be repeated conditionally.*[2]

This Decree was issued *seven years* earlier than that of Clement XI, which refers to the Anglican Bishop Gordon in 1704, and is a part, as we have said, of a long series of similar Decrees published by the Congregation of the Holy Office during the century which preceded the year 1704. There can then be no doubt of the absolute exactness and historical truth of what Leo XIII affirms, namely, that at the time of Clement XI, 1704, when the tradition of the instruments was omitted, *it was customary to prescribe that the ordination be repeated conditionally.* Hence it follows that the "extraordinary blunder" was not committed by him who makes his statement on the testimony of numerous authentic documents, but rather by him who, ignorant of

1 *Non iam an sint ordinationes repetendae, sed solum de modo ordinationis, num absolute an sub conditione sit iteranda.*

2 Feria V, die 1, Augsti 1696, proposito iterum et mature discusso dubio, au ordinationes factae per Episcopum Abellini qui per se ipsum, instrumenta seu materiam subdiaconatus, diaconatus, presbyteratus respective non porrexit, sint nullae et invalidae, et an praedicti in Ordinibus sacris ordinati *sint absolute ordinandi vel potius sub conditione tantum;* SSmus (Innocentius XII) auditis etc. *decrevit,* in casu de quo agitur, tutius esse *quod sub conditione reiterentur collationes sacrorum Ordinum.*"

and perhaps not even suspecting the existence of these documents, has denied it.[1]

XXXVIII.

The "blunder" will appear even more "extraordinary," when we examine the *proof* which Mr. Lacey offers[2] to convince us of the historical falsehood in the Bull. The supposed proof consists of a reference to a Resolution of the the Congregation of the Council issued after the year 1704, and cited by Benedict XIV.[3] The *Resolution* prescribes that, *the truth of the statements having been ascertained*, namely, that the "traditio instrumentorum" had actually been omitted, *the Bishop is to repeat the entire ordination conditionally and in private.*[4] In order that this *Resolution* cited by Mr. Lacey may have any force of proof it must, of course, be assumed that it was absolutely *the first*[5] of its kind ever sanctioned by the Church; but that such is not the fact is very evident from the documents of the Holy Office which we have cited above. It cannot even be asserted that the said *Resolution* is the *first* in the sense that there are none quite similar among the decisions given by the Congregation of the Council; for the *acta* of this Congregation, which Mr. Lacey seems to confound with the Holy Office, clearly

1 Mr. Lacey might have been more cautious in making his accusation against the Pontiff if he had consulted the work, known to him, of *P. LE QUIEN, Nullité des Ordinations Anglicanes*, Paris, Simart, 1725. In it (Tom. ii, p. 390) is found the case of Mgr. Du Moulinet, Bishop of Seez, who, as in the instance cited by us above, had omitted in the Ordinations the tradition of the instruments. The solution given *in 1604* by Pope Clement VIII *of repeating the ordination conditionally*, is found in the letters there transcribed by the Secretary of Cardinal Bubalis, Nuncio in France.

2 *Contemporary Review*, p. 799.

3. *De Synodo Dioecesana*, lib. viii, cap. 10, Tom. xi, 1854, pp. 268–272.

4. *Ut verificatis expositis, Episcopus procedat ad secreto iterandam ordinationem ex integro sub conditione.* The identical solution was repeated in 1796. See *Lib. Decret.* 146, Arch. of the Congregation of the Council.

5 In the *Contemporary Review*, p. 799, he takes this for granted "*Such is the origin of the practice.*"

prove the contrary. In the Collection of Resolutions of the Congregation, published recently by Pallotini,[1] we find the above-mentioned Resolution preceded by several others of precisely the same tenor, in which the Congregation of the Council simply confirmed the ancient practice and adhered to the decisions given for many years before by the S. Congregation of the Holy Office.

XXXIX.

The Sovereign Pontiff assures us that, before deciding definitively upon this question of Anglican Ordinations, he took into careful consideration, not only personally, but in counsel with the eminent Judges of his Supreme Tribunal, all the reasons which had been advanced *for* and *against* the proposition by the learned theologians, canonists and historians who constituted the special Commission appointed for this purpose: *Isthaec omnia diu multumque reputavimus apud Nos et cum Venerabilibus Fratribus Nostris in Suprema Iudicibus.* The Holy Father, moreover, before giving his judgment, for a long time considered the opportuneness of his decision: *conveniret ne expediretque eamdem rem auctoritate Nostra rursus declarari;* thereby satisfying the scruples of those who feared that a new authoritative declaration would perhaps impede, or, at least, delay in some manner the happy movement which for some time had seemed to promise the return to the Catholic Church in England. But when, under existing circumstances, and after the sharp polemics of the last two years, wherein not only the Ritualist party, but some Catholic writers, maintained the validity of those Orders against every historical evidence, it became obvious and certain that if the Pope were to remain silent, it would tend to foster *a pernicious error in the minds of many who might suppose that they possessed the Sacraments and effects of Orders;* Leo XIII justly concluded, "*it has seemed good to us in the Lord to express our judgment.*"

1 *Collectio omnium Conclus. et Resolut. Congreg. Concilii, etc.* Tom. xvi, Roma, 1892, pp. 63-68.

It was not, therefore, *politics*,[1] nor any other motive of purely human prudence which induced Leo XIII to pronounce against Anglican Ordinations, but only the incontestable evidence of the invalidity of these Orders and the strong sense of duty to God and to the souls of men redeemed by the Blood of Christ. Faithful to his office of Supreme Ruler, Father and Shepherd of all Christians, he would not, and could not, suffer to rest in the shadow of error so many of his children who, separated from him, seek, withal, the Kingdom of Christ in the unity of faith.

This is the reason why he has spoken, and his language is clear, unmistakable and endowed with all those qualities which prove that the expression of his judgment has been not only a simple act of justice and wisdom, an exercise of the supreme authority of the Church, but also an official act *to be always valid, in force, and irrevocable.* Leo XIII has given the death-blow to the Anglican Ordinations in their very essence, showing them to be null and invalid on account of the intrinsic *defect of form and of intention*, and solemnly declaring them to be so. Thus Leo XIII has shown that the Holy See preserves, together with unity of doctrine, the unity of terms in which it is expressed. This is beautifully illustrated and confirmed in the first part of his Bull, from the Acts of Julius III, of Paul IV and of Clement XI.

And now one other word. It was the love of truth which moved us to comment on the recent document of Leo XIII, and to treat a subject so important in its bearings, whether

1 As an unknown writer, who adopts the name *Catholicus*, erroneously asserts in the *Contemporary Review*, December, 1886, pp. 804–809.

2 Mr. Lacey, in his article in the *Contemporary Review*, December, 1896, p. 803, grievously errs when he judges otherwise of the pronouncement by Leo XIII against the validity of Anglican Ordinations. We are surprised and regret to find that the same error, fatal to numerous souls and repugnant to the text of the Bull and the intentions of the Holy Father, has been endorsed by the *Irish Ecclesiastical Record*, December, 1896, p. 1116.

we consider it by itself and applied to the English people as a nation, which, by its intelligence and power, reflects the image of the old Roman Empire; or whether we consider it in relation to the eternal salvation of so many millions of souls who, for the last three centuries, have been separated from the true Church of Christ. If, on the one side, the thought that so great a nation, Christian as it were by nature, has remained all these years without the Sacrifice of the Altar and without the Priesthood, must affect the heart of every true Catholic with sadness and grief, we are sure, on the other hand, that the sweet hope of seeing England restored to full and perfect union with the See of Peter, as an essential condition of true religion, is cherished by many. It was this thought mainly which urged us to undertake the exposition of a cause with which many years of study had rendered us familiar. We have, therefore, sought to avoid everything which might savor of a partisan spirit or a desire to indulge in mere polemics and contest, realizing that every motive unworthy of a Christian soul could only hinder the present work, which rests its sole merit on the reverence due to historical and theological truth and the desire to be useful to a nation for whom the example of Leo XIII and the saintly remembrance of our English martyrs inspire us with respect and love.

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THE BOOK OF RUTH.—A HEBREW IDYL.

IN a series called "The Modern Reader's Bible," Professor Moulton, of the University of Chicago, is editing the various Books of the Bible in an attractive form, and in such a manner that the literary qualities of those Books will immediately be apparent. A work like this has long been needed. And, although the text used is mainly that of the Westminister revision committee, and, therefore, from a critical point of view, is hardly more valuable than the old King James version, yet the stately beauty of the Hebrew narrative is brought into clearer sight by the new arrangement. The traditional way of publishing the Bible, introduced by Stephens, repels many modern readers; the shortness of the paragraphs seems to break the continuity of the narrative somewhat; and thus, instead of being a source of pleasure, as well as of spiritual elevation, the Scripture becomes dull and dead. The method of Professor Moulton, therefore, is very commendable. It is shown at its best in his latest volume. Therein the Song of Songs, Esther, Tobit, and Ruth are grouped under the title: "Biblical Idyls." The title is most appropriate, and in particular with regard to the Book of Ruth is it very suggestive.

There is every now and then, in the history of literature, a period when the simple scenes of village life, the clear air of fields and hills, seem to impress and envelop writers deeply and closely, and make them produce poems and narratives natural and real. Such poetry and prose, too, when perfectly written, always exerts a kind of fascinating influence. It is a reflection of the warm sunshine, and of the sun-pierced sky, of the life that is bounded by meadows and mountains, and of the ideas that fill the minds of those who seem intimately united with the beautiful nature-world. There is also in such nature-studies a personal manifestation that is always pleasing. They seem to be lingering memories written down by one who has true sympathy for the little things all can do and feel and see.

Among the peoples of Europe that sympathy was shown very early. The Greeks possessed it in a large measure. This is not to be wondered at when it is considered how closely united with their lives was nature. Their holiest thoughts carried them out to the cornfields, vineyards and farmsteads. To them them the trees and every little flower were homes of living spirits. Together with those spirits, says the Homeric hymn, grew up the oak, and the pine fair flourishing on the mountain. Pastoral occupations in consequence were viewed through a religious atmosphere; they were watched over by that strange god, "the homespun dream of simple people," Pan. The Greek temperament, too, was such that it demanded the open air, the bright light, the

πυκνόπτεροι δ'
εἶσω κατ' αὐτὸν εὐστομοῦσ' ἀηδόνες,

and the various phases only nature can take on. As a result Greek literature is full of allusions to the beautiful background of human action; to the laborer working in the fields, and to the shepherd on the hills. The Sicillian, yet thoroughly Hellenistic, Theocritus, moreover, wrote a series of short poems describing this out-of-door, homely kind of life. Every poem, complete in itself, has for its subject some one of the fleeting rural scenes pleasant to see, and makes, as it were, a little picture, εἰδύλλιον,[1] an idyl.

Roman literature, also, has many compositions of an idylic character. Greek influence, indeed, is very plain in the form and thought even, yet there is apparent the Latin's love of nature. In its primitive manner it was very early indicated by the Fescennine[2] verses with which the peasants amused themselves at the harvestings, and other rustic gatherings. But the most perfect Latin idyls are those of Virgil. In them there is much that has been borrowed from

1 εἰδύλλιον, diminutive from εἶδος: an image, picture. The image probably meant any small highly wrought statue or picture, mostly, but not only, of a pastoral subject.

2 Tyrell: Latin Poetry, p. 4.

Theocritus; but beneath there is a delicacy and gracefulness that is distinctly Virgil's own. Back to the minds of those who had been been satiated with everything artificial, he brought thoughts, "flashing out from many a golden phrase," of scenes beyond the walls of the Imperial City, of the orchards, and[1] of the children, "scarce able to reach from the ground to the branches," who were playing there.

The Roman world and the Hellenistic world of Theocritus needed then poets of nature. Literature was drifting into an exaggerated rhetorical style. The old spirit was vanishing. In place of poetic inspiration and of the earnestness and sincerity of the past, there was an emptiness that long descriptions could not fill, and a light and careless way of viewing life, indicative of a falling away from old ideals. Society, too, had become unreal. Success and wealth, following rapidly after years of war, had crushed out the old sturdiness, and left only weakness and corruption. The progress of civilization had carried with it an artificial atmosphere destructive of the heroic and epic in life and in letters. This absence, however, of the primitive dispositions produced an undercurrent opposed to that of the surface stream. It turned the minds of a few toward natural beauty, and simple village folk. Thus, the carefully finished idyl almost necessarily implies a poetic reaction against a comparatively high state of civilization. It is the product of a trained and cultured mind, of a mind that seeks to linger among scenes different from those around it, among the fields and in the pure air, and among people, free and plain, unbound by strong conventional laws:

ἡ δυσγένεια δ' ὡς ἔχει τι χρήσιμον
Καὶ γὰρ δακρῦσαι, ῥαδίως αὐτοῖς ἔχει.

There is, too, another point of view from which the idyl may be examined. Underneath the story there is very often a didactic thread. With reference to the Shepherd's Kalendar, Hallam[2] says: "Several of Virgil's Eclogues, and certainly

1 Eclog. VIII, 38.

2 Literature of Europe: II, chap. v.

the best, have a meaning beyond the simple songs of the hamlet; and it was notorious that the Portugese and Spanish pastoral romances, so popular in Spenser's age, teemed with delineations of real character, and sometimes were the mirror of real story," so that a writer of an idyl is not to be censured for intermingling allusions to the political history, and religious differences of his own time. Very often circumstances may be such, and racial or national prejudices so strong, that no other means could well be used. Instruction imparted in a pleasing manner is generally the most efficacious; and when covered, therefore, by a song or story, the lesson will stay longer in the memory, and so influence action. All this, it is plain, involves a habit of mind, delicacy of temperament and refinement of expression, together with a subtle cautiousness at variance with the openness, masculine force, and straightforwardness of the literature of a civilization just in the dawn. In such literature everything seems to be heroic. Now and then some scene, simple and familiar, is described, like some of the scenes on the shield of Achilles; but it resembles those Byzantine figures painted in the background, in order to bring out into more relief the large, brightly-colored form in the centre.

As this largeness of view, if so I may call it, is apparent in the early Greek and Roman literatures, so also is it in the Hebrew. The oldest Hebrew literature extant is the Judaic, written probably about the year 750 B. C. The rhapsodies collected under the name of Homer form a complete epic; but the Judaic narrative is higher—it is prophetic. The origin of sin and evil, and their consequences in the world are described, not in the scientific and theological way of modern writers, but in the vague and descriptive manner of a thoughtful, penetrating mind, familiar only with the rude notions of the distant past. The whole object of the narrative is to set forth plainly the foundation truths of religion, and the predestined holiness of Israel. For this purpose there are traced the wanderings of the tribe of Abraham, its settlement and consolidation, its difficulties, discouragements and successes. All through, moreover, there are the divine

purposes of favcr manifested and illustrated by "prophetic glances into the future." The style of the whole narrative is singularly smooth and pleasant; there are no useless ornaments, no excess of detail. Stories floating around were, indeed, gathered and intermingled with what may be called the historical part; but they were introduced, not for the sake of bringing out whatever beauty they might contain, but as developments of the thoughts, for the manifestation of which the work was written. Nothing in the entire narrative may be called idylic.

Nor is the idylic temperament discernible in the literature produced between the year 750 and the Exile. During that period the prophetic style observable in an incipient form in the Judaic narrative was developed and perfected. From Amos to the last of the Prophets are a series of writings remarkable for their strength and directness, their exquisite beauty and wealth of imagery, their manifestation of the frailties,follies and secret sins of men,and the tremendous influence they exerted on the spiritualization of Israel's religion. The Assyrian power, and afterward the Chaldean, had steadily been increasing, the people of Judah were surrounded by enemies, and there was hanging over the future a heavy veil of darkness. Destruction of the kingdom and exile in a strange land were very near. It was no age, therefore, for a scholar-poet to muse over rural scenes when his pen was needed to brighten the fading hopes of his countrymen. Toward this object all forces were directed, many seers were going about preaching a purer religion and advocating a more theocratic state, and all through the records of their work this their two-fold and only end is plain. In a more compact and systematic form the same object is apparent even in such a work as that of the Deuteronomist of Josiah's reign.[1]

After the Exile a change came over Hebrew literature. The old flowing picturesque style was lost for a while. The Priest's code is a cold, measured, intensely prosaic work.

1 None of the songs composed for the Court of Jeroboam II, referred to by Amos (VI, 5), are extant; unless perhaps the originally Northern Song of Son was in its first form written during that king's reign.

Everything is set down with mathematical accuracy; genealogy after genealogy is brought in with monotonous regularity. The descriptions are very methodical, stiff and precise. There is no life in them. Even the small psalm literature of the time, just after the return from exile, is in general rather rude when compared with the finished works of later years. All things were then in a rude state. The city had been destroyed and was now being built again. The deserted streets were gradually filling up; all men were occupied in making homes for themselves, and a temple for their God. Haggai and Zachariah were continually urging the people to labor hard in raising the new Jerusalem. This unfavorable condition for any refined literary activity lasted until almost the very end of the Persian rule. The severity of that rule, excessive taxation and the passage of armies through Palestine on the way to Egypt prevented any great advance in civilization.[1]

But with the extension of Greek power and influence, comparative quiet came. The second great epoch in Hebrew literature then began. The old fire, characteristic of the Prophetic period, burned now with a more steady though less brilliant light. It had, too, a more mellow color. A refining medium had been acting on the Jewish mind unconsciously. Gaza and Dora had for some time been Grecian in their tendencies, and Acre had a Greek colony. In the interior Scythopolis was Hellenic; and at the source of the Jordan was Paneion, a sanctuary of Pan.[2] With those cities the Jews had commercial relations, and thus, after awhile, became acquainted with some of the ideas and delicate perceptions of the most cultured people of antiquity. It must not, of course, be inferred that the Jewish literature was affected much by contact with the Greeks. Judaism was even then exclusive, though not to such an extent as later. But every refining influence acts in some measure upon minds naturally disposed toward it; and when the state of society is favorable there result works in one way or another reflecting that refining influence.

1 Wellhausen: Israel and Judah.

2 Schürer: Jewish People in the time of Christ. I.

In such circumstances, too, there is a tendency to bring into contact and closest union those who are able to exert that influence. Within this time, therefore, approaching the Hellenistic domination, may probably have been written works containing, as Ewald says, "An energetic summons to glorify the true God among the heathens," as Tobit does; and "A justification of the God of Israel against the misapprehensions that He is exclusively the national God of the Jews," as does the Book of Ruth.

About this latter book there is a subdued, meditative tone, different from that of any other Hebrew production. It is not composed in the vehement, energetic style of the pre-Exilic writers; nor after the dull manner of the age of Ezra. It is a perfect pastoral prose-poem. In a masterly way, there is brought before the mind's sight the broad fields around Bethlehem, covered by the tall, ripened grain hardly moving in the quiet air. The reapers are going up and down, swinging their heavy scythes, and followed by the maidens gathering the fallen grain. Against this background stands Ruth. In the picture of this Moabitish woman, there is a charm that is potent even now. Hebrew literature contains no portrait that can quite equal it. Esther, even, somehow seems to lack the unconscious graciousness and naturalness of the humble daughter of Moab. A close bond of sympathy also is there between the author and his subject. The story of her marriage in the hated land of Moab, of her husband's early death, and then her departure from home, friends and all she had long been familiar with, her resolution to make the people of her husband's mother her people, and their God her God, and thus to take up her dwelling among strangers, to live poor and forgotten there—this story is told by one whose heart, too, seems to have yearned for the Gentile, and who wished to break down the barrier around the Jewish race. In consequence the writer seems to linger over the fair form he is portraying. There are manifested to the reader the sweetness and tenderness of the character of Ruth, her thoughtfulness, as when she remembers Noomi sitting lonely at home, her childlike obedience and trustfulness. There is also deli-

cately indicated her reserve, refinement of disposition and gratitude for little acts of kindness done. The thought that she was outside of the faith of Israel, and, therefore, perhaps, would never obtain the love of the people of Israel, seemed to be in her mind always. "How have I found favor with thee, that thou shouldst look upon me, since I am a stranger?" However, the blessing of Jahveh, the God of Israel, had been bestowed on her; and after a time, in accordance with the Deuteronomic law, she wedded Boaz, a kinsman of her dead husband's father, Elimelech, and a son was born.

This, then, is the simple framework of the Book of Ruth. In the thoroughly idylic manner, the writer has gone out to Nature for a setting to his story, and for his characters has called back the people of the olden time when the judges ruled, and the elders were sitting at the village gates pronouncing judgment there. The battles fought day after day, the scenes of destruction, the devastating wars against the men of Moab even, the general confusion, uncertainty and miseries described on every page of the Book of Judges, were forgotten, and through the soft light shining over the far-off past were seen the carefully tilled fields around Bethlehem, and the fair foreign girl. The introduction, moreover, of a law formulated long afterwards does not seem strange.[1] Around some ancient tale, that had been transmitted century after century, the narrative has been woven, and under the refining influences operative at the time preceding the culmination of Grecian power in the East, the author has endeavored to give a lawful reason for the union of an Israelite and an alien.[2] The past thus was made expressive of the present.

From the Books of Jonah, as well as of Tobit, it is plain that belief in the universality of the mercy of Jahveh was becoming very strong in the minds of some. Contact with other nations during the captivity and after the return had

1 Of course it is not a question here of the Levirate, but only of an inference from that law.

2 Many critics, therefore, have placed the composition of the Book about the time of Ezra.

widened the intellectual horizon. Jahveh was the Lord of all those nations, and the people, being His creatures, had a certain right to His mercy. Jewish isolation and exclusiveness, in consequence, seemed wrong. At any rate they did to the author of the Book of Ruth. In his idyleic nature-study he has interwoven a thought as broad as nature and as comprehensive. The Lord has recompensed the stranger who has taken refuge under His wings. Even one who had been born in the land of Moab had been received; a blessing, too, was given:

> "The Lord make the woman that is come
> Unto thine house
> Like Rachel and like Leah,
> Which two did build the house of Israel."

Notwithstanding this deeper meaning in Ruth, it still remains a perfect picture of rural life. The little scene is clearly outlined; the characters are living, and true inhabitants of the wide fields, who somehow find their way into the heart of everyone. Besides, there is a precision and elegance of style, and an evident liking for old customs that would lead to the inference that the writer was scholarly in his methods and inclinations. "Having investigated the antiquity of his people he can describe obsolete national usages with the careful discrimination of a scholar."[1] "Now this was the custom in former times concerning redeeming and concerning exchanging, for to confirm all things; a man drew off his shoe and gave it to his neighbor; and this was the manner of attestation in Israel." The tendency of this antiquarian disposition was to produce in the next generation compilers, like those of Chronicles. Nor is the style that of simple prose only. Here and there are

1 Ewald: History of Israel. I.

verses, beautiful in thought, rythmical and elevated by a true poetical spirit. Thus does Noomi speak:

Rather call me "The troubled one,"
For the Almighty has greatly troubled me.
Rich in blessings I departed,
Yet poor has Jahveh led me home,
How then do you call me "Joyous one"?
For Jahveh has bowed me down,
And the Almighty has brought me low.

And again after a son has been born to Boaz, the husband of Ruth, the women of the village gathered around Noomi and sang:

Blessed be the Lord
Who hath not left thee to-day without a kinsman,
Let his name be famous in Israel,
He shall be to thee a restorer of life,
And a helper of thy old age;
For thy daughter-in-law, who loveth thee,
Who is better to thee than seven sons,
Hath borne him.

The language of Ruth is remarkable. Besides, the common names of God (אלהים and יהוה) there is found also the simple שדי for אלשדי. The shorter name occurs probably for the first time in Post-Exilic literature. Thus it is found in Psalm lxviii, 15, which was written during the Greek period; and also in Job xxvii, 2. Again there is a very frequent use of the feminine singular in תי, found, it is true, in Isaiah, Jeremiah, and first Samuel, and, therefore, not necessarily indicative of lateness, yet from the whole tenor of the book I would infer that such a form was intentionally adopted in order to give a more antique cast to the work.[1] The disposition of mind implied in the writer of Ruth would prompt him to throw around his story whatever

1 Or the scholarship of the writer may have induced him to retain the original endings.

would be suggestive of the past both in thought and language.

Moreover there are such expressions as נשא נשים (i, 4) which is quite frequent in II Chronicles, and in Ezra and Nehemiah, books certainly not written before 350 B. C., also מרנלות found otherwise only in the Maccabean Book of Daniel (x, 6). Another peculiar word is ילפת (iii, 8) occurring again only in Job, vi, 18, and akin to the Arabic لَفَتَ (to bend). The Aramaic characters of ל ¦ (i, 13) and of קים (iv, 7) is apparent. The genealogy (iv, 18–22) is plainly not in the style nor method of conception of the author of Ruth. It seems to have been written in imitation of the toledoth of the Priest's Code ; and from its similarity with 1 Chronicles, ii, 9 foll. was probably appended during the time of the compilers.

From all this, therefore, the period within which I have assigned the Book of Ruth may reasonably be maintained. The original basis of the story may have been in the Northern kingdom, but in its present form it came from the South. In every way it is a reflection of nature. From it a subtle influence has gone forth, and held, as under some secret spell, the hearts of men. Long ago the book was written, and the name of the writer is unknown ; yet the olden story is still new, the lesson it teaches may still be studied; the character it portrays may still be loved even now, and through it all there are the power and the fineness that make it one of the world's great classics.

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PRESENT STAGE OF THE INQUIRY REGARDING THE BEATIFICATION OF THE VEN. JOHN NEPOM. NEUMANN, C.SS.R., BISHOP OF PHILADELPHIA.

THE Congregation of S. Rites has recently issued two documents which formally bring before the tribunal of the Universal Church the question of the reputed sanctity of the late Bishop of Philadelphia, John Nepomucene Neumann, who was also a member of the Redemptorist Order.

Since his death, nearly forty years ago, the remembrance of that silently heroic life has, so to speak, crystallized; it has largely lost those elements of merely personal gratitude and enthusiasm, which, like the sandy quartz that holds the lucid gem, cling to our memory of those who have benefited us in some way by their rare gifts of heart or mind. Popular canonization is not always the just measure of true sanctity. Some of the greatest saints, not to speak of Our Lord, failed to commend the undivided applause of a generation that professed to believe the same doctrine as themselves. So on the other hand it is true of the sanctuary as it is of the world, that many a favorite hero finds his glory vanishing as soon as the multiplied echo of some minstrel's forward voice has gone with the dispersing crowd to leave the player barren of a truth.

It is for this reason that the Church, when considering the question of enrolling anyone in her galaxy of heavenly patrons, exacts the fulfillment of two primary conditions. A fixed number of years must have passed after the death of the candidate for canonization, so as to test the reality of that activity which aroused the belief of heroic virtue among his contemporaries. Furthermore it must be proved that there has been no attempt at introducing a public cult, such as that which the Church is expected to sanction by her solemn declaration. Hence a person, no matter how clear the fact of his heroic virtue, who has received either by popular acclaim, or through the efforts of private zeal, any honor distinctly accorded to those whom the Church has canonized, is by that very fact debarred from being inscribed on the calendar of

her saints. The reason of this is plain. Men are slow to part with traditions, whether they are reasonable or not. If then in the flush of grateful enthusiasm they had been induced to erect in the sanctuary a statue of some beloved leader and taught others to admire him, it would be difficult, or perchance impossible, to reverse the popular judgment, even though it be found that it had been at fault, and taken appearances for reality. In such cases the Church, since she is placed to foster true devotion and to restrain its counterfeit, would be made responsible for the popular error. Hence she exacts, among other guarantees of truth and loyalty, a formal attestation *de non-cultu* before she admits any question of Beatification in the case of persons who have died with the reputation for great sanctity. This rule is very old, going back to the days of Alexander III, but it is not intended, as Urban VIII declares, to prejudice the veneration of the early saints, honored as such from time immemorial, according to the testimony of the Apostolic writers, and the Fathers of the Church.

The first step before bringing the subject of Beatification in any particular case to the notice of the Holy See, is a detailed examination instituted by the local ecclesiastical authority within whose jurisdiction the life about which there is question was spent. All the facts are gathered, tested and cleared; faith is distinguished from credulity and superstition, facts from impressions, unknown causes from preternatural causes, etc., until a searching inquiry has established beyond human doubt two things—that the reputation for sanctity in the given case rests on the actual existence of Christian virtue in an heroic degree, and—what is the far more severe test—that this virtue was attested by the direct and unmistakable approbation of God through the gift of miracles. In seeking the evidence of miracles, it is of course, possible that many facts may be alleged, even by thoroughly creditable witnesses, which admit of a natural, if not always direct or immediate explanation. But such evidence, whatever its value as a testimony of love and admiration, is of no possible account in the ultimate judgment formed upon a case of Beatification, although it has to be

noted, as is every statement vouched for under solemn oath by capable and honorable witnesses.

This twofold examination had, in the case of the saintly Bishop Neumann, been completed some years ago. The voluminous acts comprising the testimony of the ecclesiastical commissions appointed in Philadelphia where the Bishop's holy life had attracted attention, and in Budweis, the diocese of his birth and early education, were transmitted to the Secretary of the Congregation of S. Rites at Rome. A Notary, member of the S. Congregation, takes formal account of the reception of the acts, and at the request of the Postulator, who presents the plea for canonization, the *apertio processuum* takes place.

The Cardinal Prefect or, in specified cases, an Apostolic Protonotary introduces the detailed inquiry as to the authenticity of all the vouchers, signatures, and seals of the various depositions made in the preliminary investigations. The *Promotor fidei*, appointed to act as objector (*advocatus diaboli*), enters upon his task of examination at this juncture. The scrutiny of all the written and printed works extant of the candidate for beatification constitutes a distinct category of the investigation. Censors are secretly appointed to examine critically the letters, papers and books attributed to him and deposit their judgment under oath as to whether the writings contain anything which might raise objection to their soundness in regard to doctrine or morals.

If the various foregoing reports are favorable a formal proposition is drawn up in the name of the Sacred Congregation of Rites, in which the motives for the introduction of what is called the *Apostolic Process* are set forth. This is the first of the documents or *Signatura Commissionis.* As a rule it is not to be presented until at least ten years have elapsed from the date on which the acts and documents of the preliminary commission (diocesan) had been received by the Secretary of the S. Congregation as above mentioned. This term of ten years may, however, be dispensed with at the discretion of the Pope, to whom petition has to be made for that purpose, setting forth the reasons for this exceptional

demand. In the present case the Pontiff has granted such a dispensation on grounds which enhance the critical value of the evidence afforded in behalf of the evidence proving the heroic virtues, and the unquestionable authenticity of the alleged miracles wrought at the tomb of the Venerable John Nepomucene Neumann.

The *Decretum* of the S. Congregation, signed by the Cardinal Prefect, Aloisi Masella, and the Secretary, D. Pancini, proposes, in form of a doubt (dubium), the query: Whether the Commission appointed to introduce the cause of Beatification of the Ven. Bishop Neumann is to be endorsed. The documents sums up the principal facts of his life, the leading reasons which seem to entitle him to the claim of being regarded as a saint, the different processes and examinations instituted to test the truth of his reputation for sanctity, the scrutiny of his writings, and whatever steps have thus far been taken in the matter of furthering the request of the Postulator, the Rev. P. Claudius Benedetti, of the Cardinals and Bishops and other dignitaries, ecclesiastical and civil, who have signed the petition for canonization, among whom are counted in the present instance the Emperor of Austria and many members of the imperial family in whose country the saintly Bishop was born, and where he spent the years of his life previous to entering the priesthood in New York.

These facts summarized and approved separately by the Cardinal *Ponente*, whose signature the Dubium bears, and by the official auditor of the Rota, R. P. Gustave Persiani, who is the Promotor Fidei in the case, were approved by the S. Congregation in the answer appended to the *Dubium*, "Affirmative, seu signandam esse Commissionem, *si Sanctissimo placuerit.*" If the Sovereign Pontiff approves, he signs the second document in the following fashion, which will be explained later on:

Placet S.

The following is the first document:

DECRETUM.

(*Philadelphien. seu Budvicen.*)

Beatificationis et Canonizationis Ven. Servi Dei

IOANNIS NEPOMUCENI NEUMANN,

E Congregatione Sanctissimi Redemptoris, Episcopi Philadelphiensis.

SUPER DUBIO

An sit signanda Commissio Introductionis Causae, in casu et ad effectum de quo agitur?

Angelici spiritus Dei ministri atque hominum custodes peculiari quadam protectione sustinent Ecclesiarum Angelos, Episcopos, qui cum ipsis et muneris dignitate et gratiae auxilio consociantur. Inter hos recensendus est Servus Dei Ioannis Nepomucenus Neumann, Episcopus Philadelphiensis, e Congregatione SSmi Redemptoris, Sancti Patris Fundatoris Alphonsi M. de Ligorio verus discipulus ac spiritualis filius

Prachaticii in Bohemia eadem die 28 martii anno 1811 natus et baptizatus est, eique a piis probisque parentibus Philippo et Agnete Lebisch nomen impositum Ioannes Nepomucenus. Puer, diligens, modestus ac devotus scholas primarias in patria frequentabat, et sacro chrismate linitus ecclesiasticis functionibus libentissime inserviebat. Annum agens duodecimum Budovisiam missus, prius humanioribus literis, dein tum in Seminario dioecesano tum in Universitate Pragensi theologicis disciplinis sedulo incubuit. A suo Episcopo, die 21 iulli 1832, clericalem tonsuram minoresque ordines recepit, ac plura Sanctuaria, mori peregrini poenitentis, invisens et Sanctum Franciscum Xaverium suum patronum imitari cupiens, se ad exteras missiones vocatum ostendit. Studiorum curriculo rite dimisssus, die 20 aprilis 1836 in Americam Septentrionalem profectus est; eumque Episcopus Neo-Eboracensis humanissime recepit, probavit et ad sacros ordines promovit. Novus in vinea Dei operarius ac sacris expeditionibus addictus Servus Dei cum zelo et patientia populos evangelizavit regionis prope Niagaram, quae tunc ad dioecesim Neo-Eboracensem pertinebat. Verum perfectioris vitae capessendae consilium, quod Roffae cum Patribus Alphonsianis

sancte conversando conceperat atque alibi foverat, ad rem, Deo adiuvante, perduxit. Namque die 30 novembris anno 1840 Congregationis SSmi Redemptoris habitum induit atque, tyrocinio per biennium peracto, die 16 ianuarii 1842, in Ecclesia S. Alphonsi Collegio Baltimorensi adnexa, religiosa vota emisit. Sororibus Carmelitanis, atque "A Nostra Domina" nuncupatis, necnon Hospitio Pittsburgensi S. Philumenae operam valde utilem praebuit. Religiosus observantissimus, missionarius fervidus, Superiori Provinciali adiutor, etiam praefato Collegio Baltimorensi praepositus fuit ad annum 1852, quo Episcopus Philadelphiensis, praeter suam expectationem, ab Apostolica Sede electus et die 28 martii in memorata Ecclesia S. Alphonsi consecratus, ad suam dioecesim illico se contulit.

Pastorali officio pro Christo fungens, quolibet biennio integram dioecesim perlustrabat, et verbi Dei praedictione, sacramentorum administratione atque sacrorum rituum observantia sacerdotibus suis praelucebat. Cathedralem Ecclesiam, Seminarium clericorum, Asylum infantium erexit aut perfecit; atque insimul scholas parochiales piasque sodalitates instituit, accitis quoque in dioecesim Fratribus et Sororibus Religiosarum Congregationum. Anno 1854 a Pio Papa IX, fel. rec., vocatus Romam venit, definitioni dogmaticae de Immaculata B. M. V. Conceptione interfuit, septem Basilicas Urbis pedester et ieiunus quinquies visitavit, et, patria ac genitore rivisis, Philadelphiam rediens, non modo triduana solemnia in honorem Immaculatae Conceptionis celebrari iussit, sed etiam publicam Augustissimi Sacramenti expositionem in forma XL Horarum, prout eam Romae peragi viderat, in suam dioecesim introduxit. Quasi angelus in terram missus, improviso, dum per viam deambularet, a Deo revocatus in coelestem patriam evolavit die 5 ianuarii anno 1860, clero et populo ad eius funus et sepulcrum penes Ecclesiam Redemptoristarum ad S. Petrum confluente.

Sanctimoniae fama quam Ioannes Nepomucenus, dum vitam ageret, sibi comparaverat, post obitum in dies clarior ac diffusior praesertim in Statibus Foederatis Americae Septentrionalis ac in dioecesi Budovicensi, Inquisitioni Ordinariae instituendae causa fuit. Itaque Ordinariis Processibus, qui supra recensita testantur, rite peractis et ad S. Rituum Congregationem delatis una cum scriptis Servi Dei, Sanctissimus Dominus Noster Leo Papa XII, per decretum Sacrae ipsius Congregationis datum die 10 iunii 1895, haec scripta probavit. Quum vero per alia anteriora Decreta edita diebus 14 et 19 decembris 1892 idem Sanctissimus Dominus Noster facultatem tribuisset, ut Dubium de signanda Commissione Introductionis

Causae ipsius Servi Dei agi posset ante lapsum decennii in Ordinariis praedictae Sacrae Congregationis Comitiis absque interventu et voto Consultorum, ideo instante Rmo P. Claudio Benedetti, sacerdote professo et postulatore generali Congregationis SSmi Redemptoris, attentisque Postulatoriis Litteris nonnullorum Emorum ac Rmorum S. R. E. Cardinalium, plurium Sacrorum Antistitum aliorumque virorum ecclesiastica aut civili dignitate illustrium, inter quas mentione dignae sunt Litterae Serenissimi Imperatoris Austriae Francisci Iosephi I aliorumque ex eadem Imperiali Familia, infrascriptus Cardinalis S. Rituum Congregationis Praefectus, huiusce causae Ponens ac Relator, in Ordinario Sacrae ipsius Congregationis Coetu, subsignata die, ad Vaticanum habito, sequens Dubium discutiendum proposuit, nimirum: "*An sit signanda Commissio Introductionis Causae, in casu et ad effectum de quo agitur?*" Et Sacra eadem Congregatio, post relationem ipsius infrascripti cardinalis Ponentis, omnibus mature perpensis et audito R. P. D. Gustavo Persiani, S. Romanae Rotae. Auditore et Sanctae Fidei Promotoris munus gerente, rescribendum censuit: *Affirmative, seu signandam esse Commissionem, si Sanctissimo placuerit.*

Die 15 Decembris, 1896.

Quibus omnibus Sanctissimo Domino Nostro Leoni Papae XIII per meipsum infrascriptum Cardinalem relatis, Sanctitas Sua Rescriptum Sacrae Rituum Congregationis ratum habens, propria manu signare dignata est Commissionem Introductionis Causae Venerabilis Servi Dei Ioannis Nepomuceni Neumann, Episcopi Philadelphiensis, iisdem die, mense et anno.

CAIETANUS, *Card.* ALOISI-MASELLA, *S.R.C. Praefectus.*
L ✠ S. DIOMEDES PANICI, *S.R C. Secretarius.*

The concluding sentence of the foregoing document states that the facts contained therein, as well as the resolution of the Sacred Congregation approving the introduction of the *Causa Beatificationis*, and of signing the *Commissio*, had been signed by the Sovereign Pontiff. A separate letter, which notes in detail the steps taken in the preliminary process, as well as the official conclusions and recommendations, is drawn up for this purpose and addressed to the Holy Father. If he approves the same he writes in the middle of the page, at the

end of the letter, the word *placet*, followed by the initial of the name which he bore before becoming Pope. It will be noticed that the last word of the letter given below lacks its final *t*, which is in a sense supplied by the pontiff's *placet*.

COMMISSIO INTRODUCTIONIS CAUSAE.

Ven. Servi Dei Joannis Nep. Neumann, Ep. Philad.

BEATISSIME PATER :—Adeo hactenus aucta fuit et in dies magis augetur fama sanctitatis Servi Dei Joannis Nepomuceni Neumann, e Congregatione SSmi Redemptoris, Episcopi Philadelphiensis, qui die Januarii quinta anni millesimi octingentesimi sexagesimi obdormivit in Domino, una cum miraculis quae Deus Omnipotens ejus meritis et intercessione, uti asserunt, operari dignatus est, ut concepta in diversis mundi partibus ac praesertim in Prachaticii in Bohemia ubi primum ipse lucem aspexit, Philadelphiae ubi diem obiit supremum, nec non in aliis locis ac gentibus, atque etiam in Americanis Regionibus quas zelo animarum peragravit, erga Eum devotione, a plerisque in eorum necessitatibus invocetur et plurium gravissimorum virorum existimatione Beatificationis et Canonizationis honore dignus, accedente infallibili Sanctitatis Vestrae judicio reputetur. Ex quibus moti piaque in dictum Dei Servum devotione ducti plures Rmi. S. R. E. Archiepiscopi, Episcopi, Archiduces, aliique illustres ac spectabiles viri et mulieres per suas litteras instanter S. V. supplicaverunt ut ad ejusdem Servi Dei Beatificationem et Canonizationem procedere dignaretur. Propterea cum jam confectus fuerit Processus auctoritate ordinaria super sanctitate vitae, virtutibus et miraculis ejusdem Servi Dei, ejusque examen praeviis dispensationibus benigne ab eadem S. concessis tam ab interventu et voto Consultorum quam a non integro decenni lapsu a praesentatione Processus institutum in Ordinariis Sacrorum Rituum Comitiis die Decembris decima quinta anni millesimi octingentesimi nonagesimi sexti ad relationem Rmi. Cardinalis Cajetani Aloisi Masella, Praefecti et causae Relatoris, auditoque tum voce tum scriptis R. P. Gustavo Persiani, S. Romanae Rotae auditore in Fidei Promotorem deputato, Rmi Patres Cardinales in sententia fuerint ad signaturam Commissionis introductionis Causae ejusdem Servi Dei deveniri posse. Hinc pro parte devoti S. V. Oratoris P. Claudii Benedetti e Cong. SSmi Redemptoris, Causae Postulatoris humiliter supplicatur

quatenus eadem S. V. dignetur Causam et Causas Beatificationis et Canonizationis, nec non cognitionem virtutum et miraculorum ac publicae famae sanctitatis dicti Servi Dei populorumque erga ipsum devotionis cum omnibus et singulis suis incidentibus, dependentibus, emergentibus, adnexis et connexis quibuscumque, eidem Sacrae Congregationi committere et mandare cum facultate imprimis et ante omnia Processum Auctoritate Apostolica construendi super observantia Decretorum S. M. Urbani Papae VIII de non cultu editorum citato et audito R. P. Fidei Promotore, ac discutiendi et ex eo declarandi dictis decretis sufficienter paritum fuisse; factaque dicta declaratione, eaque ab eadem Sanctitate Vestra approbata, si eidem S. Congregationi visum fuerit et S. V. placuerit ut possit ad generalem inquisitionem super Sanctitate vitae, virtutibus et miraculis dicti Servi Dei Apostolica item Auctoritate deveniri, eidem S. Congregationi insuper indulgere et liberam facultatem concedere, ut si in Curia aderunt probationes Rmo Cardinali Sanctitatis Vestrae in urbe Vicario, si vero extra Curiam aliquibus Archiepiscopis seu Episcopis committere valeat ut per se ipsos inquirant de fama et devotione populi deque virtutibus et miraculis aliisque denunciandis dicti Servi Dei in genere tantum et non in specie et quae fama, si vigeat de praesenti, et ad hunc effectum aliquot articulos ad eosdem transmittat super quibus et super interrogatoriis per dictum R. P. Fidei Promotorem conficiendis debeant per seipsos et non per alios, testes examinare cum interventu Sub-Promotoris Fidei per eumdem Promotorem Fidei nominandi, et cum potestate citandi et inhibendi etiam sub censuris et etiam per edictum, etc., invocato, etc., et cum omnibus aliis facultatibus necessariis et opportunis. Quibus peractis ea quae invenerint fideliter rescribant, et Processum hujusmodi ad eamdem S. Congregationem sub sigillo clausum per fidelem nuncium transmittant cum ipsorum litteris in quibus significent quae et qualis praedictis testibus sit danda fides. Quo processu recepto et per sacram Congregationem discusso, eadem Congregatio Sanctitati Vestrae referat quid de ejus relevantia sentiat ad effectum ut Sanctitas Vestra statuere possit an sit deveniendum ad inquisitionem specialem. Quod si Sanctitas Vestra judicaverit ei locum esse eidem S. Congregationi mandare et injungere pariter dignetur, quatenus eisdem vel aliis Episcopis seu Archiepiscopis committere valeat ut veritatem super dicti Servi Dei fama, devotione populi, vitae sanctitate, puritate fidei, virtutibus et miraculis ac aliis a sacris Canonibus requisitis, exacte, fideliter ac prudenter secundem articulos et interrogatoria per dictum R. P. Fidei Pro-

motorem danda et illis transmittenda in specie inquirant, ac jura et monumenta exhibenda coram ipsis recipiant cum interventu Sub-Promotoris per eundem R. P. Fidei Promotorem nominandi et quidquid per hujusmodi specialem inquisitionem invenerint suis sigillis pariter inclusum caute ad eamdem S. Cong : transmittant ut deinde his omnibus mature examinatis in Cong : coram S. V. habenda decernatur an talia sunt tantique momenti ut ad Beatificationem sive Canonizationem dicti Servi Dei juxta Sacrorum Canonum decreta, et S. Romanae Ecclesiae ritum deveniri possit, cum facultate super praemissis omnibus litteras remissoriales et compulsoriales, citato eodem R. P. Fidei Promotore, ad quascumque, mundi partes decernendi et relaxandi, atque etiam in Curia toties quoties, etc. Jura et monumenta quaecumque recipiendi et si opus fuerit testes per Rmum Cardinalem Urbis Vicarium, seu episcopos, et in loco ab eis deputando praevia citatione et cum interventu dicti R. P. Fidei Promotoris vel ejus Sub-Promotoris super iisdem articulis seu aliis de novo dandis vel addendis et juxta interrogatoria per eumdem R. P. Fidei Promotorem danda examinari faciendi sub censuris et poenis etc., et cum aliis facultatibus desuper necessariis et opportunis, caeteraque omnia in praemissis et circa ea quomodolibet faciendi, dicendi, gerendi, et exequendi usque ad ultimum et finale complementum praedictae Beatificationis sive Canonizationis servata tamen in omnibus et singulis forma Decretorum S. M. Urbani Papae VIII et Ven. Innocentii XI et non alias, etc., non obstantibus constitutionibus etiam in Universalibus et Synodalibus Conciliis editis atque aliis Ordinationibus Apostolicis Regulis Cancellariae stylo Palatii et Curiae caeterisque contrariis quibuscumque statum, etc., tenores, etc., pro plene et sufficienter expressis haben

The proof *de non-cultu*, of which we have spoken above, is certified by a separate document called *literae remissoriales*, which empower the Postulator or supporter of the proposed Beatification to solicit the assistance of three Bishops, or one Bishop and two Church dignitaries in forming the new process, following the *placet*. Indeed, it is only after this step has been attained that the work of inquiry assumes the nature of a public act on the part of the Church. The new commission of investigation takes nothing for granted ; everything is submitted to the severest test, and the reports to the Holy See are made only upon facts clearly

demonstrated. Evidence corroborating or undoing the value of previous depositions is now in order, and the scrupulous verification of all that has been alleged, against the strenuous counter-arguments of the "advocatus diaboli" often cause long and tedious delays in the process of canonization, and sometimes lead to its abandonment altogether.

When the acts of the last mentioned commission are completed they are transmitted to the S. Congregation and there argued. If the *Promotor fidei* does not succeed in overturning the evidence or rendering the proof suspected, the acts are sealed, and given over to an entirely different delegation, the members of which are likewise sworn to make most diligent inquiry, as if the matter had never been proved. This new scrutiny having been completed and the reports being favorable, both commissions unite for discussion in the presence of the S. Congregation. Here each act is taken up singly, and separately argued in several successive sessions. At the last of these meetings the Sovereign Pontiff presides, when the final evidence is summed up. Having formed his conclusion as judge, he communicates the same to the Secretary of the S. Congregation. Until this judgment is published the case may be delayed indefinitely.

There is every hope, however, that Philadelphia will have ere long its patron-saint, the gentle, unobtrusive priest, first secular, then religious, the zealous bishop not minding the passing judgments of the world, but seeking the profits of heaven in his labor for souls, the silent, saintly John Nepomucene Neumann.

ANALECTA.

CONSTITUTIO APOSTOLICA DE PROHIBITIONE ET CENSURA LIBRORUM.

LEO, PP. XIII.

EPISCOPUS, SERVUS SERVORUM DEI.
AD PERPETUAM REI MEMORIAM.

Officiorum ac munerum, quae diligentissime sanctissimeque servari in hoc apostolico fastigio oportet, hoc caput atque haec summa est, assidue vigilare atque omni ope contendere, ut integritas fidei morumque christianorum ne quid detrimenti capiat. Idque, si unquam alias, maxime est necessarium hoc tempore, cum, effrenatis licentia ingeniis ac moribus, omnis fere doctrina, quam Servator hominum Iesus Christus tuendam Ecclesiae suae ad salutem generis humani permisit, in quotidianum vocatur certamen atque discrimen. Quo in certamine variae profecto atque innumerabiles sunt inimicorum calliditates artesque nocendi: sed cum primis est plena periculorum intemperantia scribendi, disseminandique in vulgus quae prave scripta sunt. Nihil enim cogitari potest perniciosius ad inquinandos animos per contemptum religionis perque illecebras multas peccandi. Quamobrem tanti metuens mali, et incolumitatis fidei ac morum custos et vindex Ecclesia, maturrime intellexit, remedia contra eiusmodi pestem esse sumenda: ob eamque rem id perpetuo studuit, ut homines, quoad in se esset, pravorum librorum lectione, hoc est pessimo veneno, prohiberet. Vehemens hac in re studium beati Pauli viderunt proxima originibus tempora: similique ratione perspexit sanctorum Patrum vigilantiam, iussa episcoporum, Conciliorum decreta, omnis consequens aetas.

Praecipue vero monumenta litterarum testantur, quanta cura diligentiaque in eo evigilaverint romani Pontifices, ne

haereticorum scripta, malo publico, impune serperent. Plena est exemplorum vetustas. Anastasius I scripta Origenis perniciosiora, Innocentius I Pelagii, Leo magnus Manichaeorum opera omnia, gravi edicto damnavere. Cognitae eadem de re sunt litterae *decretales* de recipiendis et non recipiendis libris, quas Gelasius opportune dedit. Similiter, decursu aetatum, Monothelitarum, Abaelardi, Marsilii Patavini, Wicleffi et Hussii pestilentes libros, sententia Apostolicae Sedis confixit.

Saeculo autem decimo quinto, comperta arte nova libraria, non modo in prave scripta animadversum est, quae lucem aspexissent, sed etiam ne qua eius generis posthac ederentur, caveri coeptum. Atque hanc providentiam non levis aliqua caussa, sed omnino tutela honestatis ac salutis publicae per illud tempus postulabat: propterea quod artem per se optimam, maximarum utilitatum parentem, christianae gentium humanitati propagandae natam, in instrumentum ingens ruinarum nimis multi celeriter deflexerant. Magnum prave scriptorum malum, ipsa vulgandi celeritate maius erat ac velocius effectum. Itaque saluberrimo consilio cum Alexander VI, tum Leo X, decessores Nostri, certas tulere leges, utique congruentes iis temporibus ac moribus, quae officinatores librarios in officio continerent.

Mox graviore exorto turbine, multo vigilantius ac fortius oportuit malarum haereseon prohibere contagia. Idcirco idem Leo X, posteaque Clemens VII gravissime sanxerunt, ne cui legere, neu retinere, Lutheri libros fas esset. Cum vero pro illius aevi infelicitate crevisset praeter modum atque in omnes partes pervasisset perniciosorum librorum impura colluvies, ampliore ac praesentiore remedio opus esse videbatur. Quod quidem remedium opportune primus adhibuit Paulus IV decessor Noster, videlicet elencho proposito scriptorum et librorum, a quorum usu cavere fideles oporteret. Non ita multo post Tridentinae Synodi Patres gliscentem scribendi legendique licentiam novo consilio coercendam curaverunt. Eorum quippe voluntate iussuque lecti ad id praesules et theologi non solum augendo perpoliendoque Indici, quem Paulus IV ediderat, dedere operam, sed Regulas

etiam conscripsere, in editione, lectione, usuque librorum servandas: quibus Regulis Pius IV apostolicae auctoritatis robur adiecit.

Verum salutis publicae ratio, quae Regulas Tridentinas initio genuerat, novari aliquid in eis, labentibus aetatibus, eadem iussit. Quamobrem romani Pontifices nominatimque Clemens VIII, Alexander VII, Benedictus XIV, gnari temporum et memores prudentiae, plura decrevere, quae ad eas explicandas atque accommodandas tempori valuerunt.

Quae res praelare confirmant, praecipuas romanorum Pontificum curas in eo fuisse perpetuo positas, ut opinionum errores morumque corruptelam, geminam hanc civitatum labem ac ruinam, pravis libris gigni ac disseminari solitam, a civili hominum societate defenderent. Neque fructus fefellit operam, quam diu in rebus publicis administrandis rationi imperandi ac prohibendi lex aeterna praefuit, rectoresque civitatum cum potestate sacra in unum consensere.

Quae postea consecuta sunt, nemo nescit. Videlicet cum adjuncta rerum atque hominum sensim mutavisset dies, fecit id Ecclesia prudenter more suo, quod, perspecta natura temporum, magis expedire atque utile esse hominum suluti videretur. Plures regularum Indicis praescriptiones, quae excidisse opportunitate pristina videbantur, vel decreto ipsa sustulit, vel more usuque alicubi invalescente antiquari benigne simul ac provide sivit. Recentiore memoria, datis ad Archiepiscopos Episcoposque e Principatu Pontificio litteris, Pius IX Regulam X magna ex parte mitigavit. Præterea, propinquo iam Concilio magno Vaticano, doctis viris, ad argumenta paranda delectis, id negotium dedit, ut expenderent atque aestimarent Regulas Indicis universas, iudiciumque ferrent, quid de iis facto opus esset. Illi commutandas, consentientibus sententiis, iudicavere. Idem se et sentire et petere a Concilio plurimi ex Patribus aperte profitebantur. Episcoporum Galliae extant hac de re litterae, quarum sententia est, necesse esse et sine cunctatione faciendum, ut *illae Regulae et universa res Indicis novo prorsus modo nostrae aetati melius attemperato et observatu faciliori instaurarentur.* Idem eo tempore iudicium fuit Episcoporum Germa-

niae, plane petentium, ut *Regulae Indicis . . . . recenti revisioni et redactioni submittantur.* Quibus Episcopi concinunt ex Italia aliisque e regionibus complures.

Qui quidem omnes, si temporum, si institutionum civilium, si morum popularium habeatur ratio, sane aequa postulant et cum materna Ecclesiae sanctae caritate convenientia. Etenim in tam celeri ingeniorum cursu, nullus est scientiarum campus, in quo non litterae licentius excurrant: inde pestilentissimorum librorum, quotidiana colluvies. Quod vero gravius est, in tam grandi malo non modo connivent, sed magnam licentiam dant leges publicae. Hinc ex una parte, suspensi religione animi plurimorum: ex altera, quidlibet legendi impunita copia.

Hisce igitur incommodis medendum rati, duo facienda duximus, ex quibus norma agendi in hoc genere certa et perspicua omnibus suppetat. Videlicet librorum improbatae lectionis diligentissime recognosci Indicem; subinde, maturum cum fuerit, ita recognitum vulgari iussimus. Praeterea ad ipsas Regulas mentem adiecimus, easque decrevimus, incolumi earum natura, efficere aliquanto molliores, ita plane ut iis obtemperare, dummodo quis ingenio male non sit, grave arduumque esse non possit. In quo non modo exempla sequimur decessorum Nostrorum, sed maternum Ecclesiae studium imitamur: quae quidem nihil tam expetit, quam se impertire benignam, sanandosque ex se natos ita semper curavit, curat, ut eorum infirmitati amanter studioseque parcat.

Itaque matura deliberatione, adhibitisque S. R. E. Cardinalibus e sacro Consilio libris notandis, edere *Decreta Generalia* statuimus, quae infrascripta, unaque cum hac Constitutione coniuncta sunt: quibus idem sacrum Consilium posthac utatur unice, quibusque catholici homines toto orbe religiose pareant. Ea vim legis habere sola volumus, abrogatis *Regulis* sacrosanctae Tridentinae synodi iussi editis, *Observationibus*, *Instructione*, *Decretis*, *Monitis*, et quovis alio decessorum Nostrorum hac de re statuto iussuque, una excepta Constitutione Benedicti XIV *Sollicita et provida*, quam, sicut adhuc viguit, ita in posterum vigere integram volumus.

DECRETA GENERALIA DE PROHIBITIONE ET CENSURA LIBRORUM.

TITULUS I.

DE PROHIBITIONE LIBRORUM.

CAPUT I.

De prohibitis apostatarum, haereticorum, schismaticorum, aliorumque scriptorum libris.

1. Libri omnes, qui ante annum MDC. aut Summi Pontifices, aut Concilia oecumenica damnarunt, et in novo Indice non recensentur, eodem modo damnati habeantur, sicut olim damnati fuerunt: iis exceptis, qui per haec Decreta Generalia permittuntur.

2. Libri apostatarum, haereticorum, schismaticorum et quorumcumque scriptorum haeresiam vel schisma propugnantes, aut ipsa religionis fundamenta utcumque evertentes, omnino prohibentur.

3. Item prohibentur acatholicorum libri, qui ex professo de religione tractant, nisi constet nihil in eis contra fidem catholicam contineri.

4. Libri eorundem auctorum, qui ex professo de religione non tractant, sed obiter tantum fidei veritates attingunt, iure ecclesiastico prohibiti non habeantur, donec speciali decreto proscripti haud fuerint.

CAPUT II.

De Editionibns textus originalis et versionum non vulgarium Sacrae Scripturae.

5. Editiones textus originalis et antiquarum versionum catholicarum Sacrae Scripturae, etiam Ecclesiae Orientalis, ab acatholicis quibuscumque publicatae, etsi fideliter et integre editae appareant, iis dumtaxat, qui studiis theologicis vel biblicis dant operam, dummodo tamen non impugnentur in prolegomenis aut adnotationibus catholicae fidei dogmata, permittuntur.

6. Eadem ratione, et sub iisdem conditionibus, permittuntur aliae versiones Sacrorum Bibliorum sive latina, sive alia lingua non vulgari ab acatholicis editae.

CAPUT III.

De Versionibus vernaculis Sacrae Scripturae.

7. Cum experimento manifestum sit, si Sacra Biblia vulgari lingua passim sine discrimine permittantur, plus inde, ob hominum temeritatem, detrimenti, quam utilitatis oriri; Versiones omnes in lingua vernacula, etiam a viris catholicis confectae, omnino prohibentur, nisi fuerint ab Apostolica Sede approbatae, aut editae sub vigilantia Episcoporum cum adnotationibus desumptis ex Sanctis Ecclesia Patribus, atque ex doctis catholicisque scriptoribus.

8. Interdicuntur versiones omnes Sacrorum Bibliorum, quavis vulgari lingua ab acatholicis quibuscumque confectae, atque illae praesertim, quae per Societates Biblicas, a Romanis Pontificibus non semel damnatas, divulgantur, cum in iis saluberrimae Ecclesiae leges de divinis libris edendis funditus posthabeantur.

Hae nihilominus versiones iis, qui studiis theologicis vel biblicis dant operam, permittuntur: iis servatis, quae supra (n. 5) statuta sunt.

CAPUT IV.

De Libris obscenis.

9. Libri, qui res lascivas seu obscenas ex professo tractant, narrant, aut docent, cum non solum fidei, sed et morum, qui huiusmodi librorum lectione facile corrumpi solent, ratio habenda sit, omnino prohibentur.

10. Libri auctorum sive antiquorum, sive recentiorum, quos classicos vocant, si hac ipsa turpitudinis labe infecti sunt, propter sermonis elegantiam et proprietatem, iis tantum permittuntur, quos officii aut magisterii ratio excusat: nulla tamen ratione pueris vel adolescentibus, nisi solerti cura expurgati, tradendi aut praelegendi erunt.

CAPUT V.

De quibusdam specialis argumenti libris.

11. Damnantur libri, in quibus Deo, aut Beatae Virgini Mariae, vel Sanctis, aut Catholicae Ecclesiae eiusque Cultui, vel Sacramentis, aut Apostolicae Sedi detrahitur. Eidem reprobationis iudicio subiacent ea opera, in quibus inspirationis Sacrae Scripturae conceptus pervertitur, aut eius extensio nimis coarctatur. Prohibentur quoque libri, qui data opera Ecclesiasticam Hierarchiam, aut statum clericalem vel religiosum probris afficiunt.

12. Nefas esto libros edere, legere aut retinere in quibus sortilegia, divinatio, magia, evocatio spirituum, aliaeque huius generis superstitiones docentur, vel commendantur.

13. Libri aut scripta, quae narrant novas apparitiones, revelationes, visiones, prophetias, miracula, vel quae novas inducunt devotiones, etiam sub praetextu quod sint privatae, si publicentur absque legitima Superiorum Ecclesiae licentia, proscribuntur.

14. Prohibentur pariter libri, qui duellum, suicidium, vel divortium licita statuunt, qui de sectis massonicis, vel aliis eiusdem generis societatibus agunt, easque utiles et non perniciosas Ecclesiae et civili societati esse contendunt, et qui errores ab Apostolica Sede proscriptos tuentur.

CAPUT VI.

De Sacris Imaginibus et Indulgentiis.

15. Imagines quomodocumque impressae Domini Nostri Iesu Christi, Beatae Mariae Virginis, Angelorum atque Sanctorum, vel aliorum Servorum Dei ab Ecclesiae sensu et decretis difformes, omnino vetantur. Novae vero, sive preces habeant adnexas, sive absque illis edantur, sine Ecclesiasticae potestatis licentia non publicentur.

16. Universis interdicitur indulgentias apocryphas, et a Sancta Sede Apostolica proscriptas vel revocatas, quomodocumque divulgare. Quae divulgatae iam fuerint, de manibus fidelium auferantur.

17. Indulgentiarum libri omnes, summaria, libelli, folia etc., in quibus earum concessiones continentur, non publicentur absque competentis auctoritatis licentia.

CAPUT VII.

De libris liturgicis et precatoriis.

18. In authenticis editionibus Missalis, Breviarii, Ritualis, Caeremonialis Epicoporum, Pontificalis romani, aliorumque librorum liturgicorum a Sancta Sede Apostolica approbatorum, nemo quidquam immutare praesumat : si secus factum fuerit, hae novae editiones prohibentur.

19. Litaniae omnes, praeter antiquissimas et communes, quae in Breviariis, Missalibus, Pontificalibus ac Ritualibus continentur, et praeter Litanias de Beata Virgine, quae in sacra Aede Lauretana decantari solent, et litanias Sanctissimi Nominis Iesu iam a Sancta Sede approbatas, non edantur sine revisione et approbatione Ordinarii.

20. Libros, aut libellos precum, devotionis, vel doctrinae institutionisque religiosae, moralis, asceticae, mysticae, aliosque huiusmodi, quamvis ad fovendam populi christiani pietatem conducere videantur, nemo praeter legitimae auctoritatis licentiam publicet : secus prohibiti habeantur.

CAPUT VIII.

De Diariis, foliis et libellis periodicis.

21. Diaria, folia et libelli periodici, qui religionem aut bonos mores data opera impetunt, non solum naturali, sed etiam ecclesiastico iure proscripti habeantur.

Curent autem Ordinarii, ubi opus sit, de huiusmodi lectionis periculo et damno fideles opportune monere.

22. Nemo e catholicis, praesertim e viris ecclesiasticis, in huiusmodi diariis, vel foliis, vel libellis periodicis, quidquam, nisi suadente iusta et rationabili causa, publicet.

CAPUT IX.

De facultate legendi et retinendi libros prohibitos.

23. Libros sive specialibus, sive hisce Generalibus Decretis proscriptos, ii tantum legere et retinere poterunt, qui a Sede Apostolica, aut ab illis, quibus vices suas delegavit, opportunas fuerint consecuti facultates.

24. Concedendis licentiis legendi et retinendi libros quoscumque prohibitos Romani Pontifices Sacram Indicis Congregationem praeposuere. Eadem nihilominus potestate gaudent, tum Suprema Sancti Officii Congregatio, tum Sacra Congregatio de Propaganda Fide pro regionibus suo regimini subiectis. Pro Urbe tantum, haec facultas competit etiam Sacri Palatii Apostolici Magistro.

25. Episcopi aliique Praelati iurisdictione quasi episcopali pollentes, pro singularibus libris, atque in casibus tantum urgentibus, licentiam concedere valeant. Quod si iidem generalem a Sede Apostolica impetraverint facultatem, ut fidelibus libros proscriptos legendi retinendique licentiam impertiri valeant, eam nonnisi cum delectu et ex iusta et rationabili causa concedant.

26. Omnes qui facultatem apostolicam consecuti sunt legendi et retinendi libros prohibitos, nequeunt ideo legere et retinere libros quoslibet, aut ephemerides ab Ordinariis locorum proscriptas, nisi eis in apostolico indulto expressa facta fuerit potestas legendi et retinendi libros a quibuscumque damnatos. Meminerint insuper qui licentiam legendi libros prohibitos obtinuerunt, gravi se praecepto teneri huiusmodi libros ita custodire, ut ad aliorum manus non perveniant.

CAPUT X.

De denunciatione pravorum librorum.

27. Quamvis catholicorum omnium sit, maxime eorum, qui doctrina praevalent, perniciosos libros Episcopis, aut Apostolicae Sedi denunciare ; id tamen speciali titulo pertinet ad Nuntios, Delegatos Apostolicos, locorum Ordinarios, atque Rectores Universitatum doctrinae laude florentium.

28. Expetit ut in pravorum librorum denunciatione non solum libri titulus indicetur, sed etiam, quoad fieri potest, causae exponantur ob quas liber censura dignus existimatur. Iis autem ad quos denunciatio defertur, sanctum erit, denunciantium nomina secreta servare.

29. Ordinarii, etiam tamquam Delegati Sedis Apostolicae, libros, aliaque scripta noxia in sua Dioecesi edita vel diffusa proscribere, et e manibus fidelium auferre studeant. Ad Apostolicum iudicium ea deferent opera vel scripta, quae subtilius examen exigunt, vel in quibus ad salutarem effectum consequendum, supremae auctoritatis sententia requiri videatur.

TITULUS II.

DE CENSURA LIBRORUM.

CAPUT I.

De Praelatis librorum censurae praepositis.

30. Penes quos potestas sit sacrorum bibliorum editiones et versiones adprobare vel permittere ex iis liquet, quae supra (n. 7) statuta sunt.

31. Libros ab Apostolica Sede proscripto nemo audeat iterum in lucem edere: quod si ex gravi et rationabili causa, singularis aliqua exceptio hac in re admittenda videatur, id nunquam fiet, nisi obtenta prius sacrae Indicis Congregationis licentia, servatisque conditionibus ab ea praescriptis.

32. Quae ad causas Beatificationum et Canonizationum Servorum Dei utcumque pertinent, absque beneplacito Congregationis Sacris Ritibus tuendis praepositae publicari nequeunt.

33. Idem dicendum de Collectionibus Decretorum singularum Romanarum Congregationum: hae nimirum Collectiones edi nequeant, nisi obtenta prius licentia, et servatis

conditionibus a moderatoribus uniuscuiusque Congregationis praescriptis.

34. Vicarii et Missionarii Apostolici Decreta sacrae Congregationis Propagandae Fidei praepositae de libris edendis fideliter servent.

35. Approbatio librorum, quorum censura praesentium Decretorum vi Apostolicae Sedi vel Romanis Congregationibus non reservatur, pertinet ad Ordinarium loci in quo publici iuris fiunt.

36. Regulares, praeter Episcopi licentiam, meminerint teneri se, sacri Concilii Tridentini decreto, operis in lucem edendi facultatem a Praelato, cui subiacent, obtinere. Utraque autem concessio in principio vel in fine operis imprimatur.

37. Si Auctor Romae degens librum, non in Urbe, sed alibi imprimere velit, praeter approbationem Cardinalis Urbis Vicarii et Magistri Sacri Palatii Apostolici alia non requiritur.

CAPUT II

De Censorum officio in praevio librorum examine.

38. Curent Episcopi, quorum muneris est facultatem libros imprimendi concedere, ut eis examinandis spectatae pietatis et doctrinae viros adhibeant, de quorum fide et integritate sibi polliceri queant, nihil eos gratiae daturos, nihil odio, sed omni humano affecto posthabito, Dei dumtaxat gloriam spectaturos et fidelis populi utilitatem.

39. De Variis opinionibus atque sententiis (iuxta Benedicti XIV praeceptum) animo a praeiudiciis omnibus vacuo, iudicandum sibi esse censores sciant. Itaque nationis, familiae, scholae, instituti affectum excutiant, studia partium seponant. Ecclesiae sanctae dogmata, et communem Catholicorum doctrinam, quae Conciliorum generalium decretis, Romanorum Pontificum Constitutionibus, atque Doctorum consensu continentur, unice prae oculis habeant.

40. Absoluto examine, si nihil publicationi libri obstare videbitur, Ordinarius, in scriptis et omnino gratis, illius publicandi licentiam, in principio vel in fine operis imprimendam, auctori concedat.

CAPUT III

De libris praeviae censurae subiiciendis.

41. Omnes fideles tenentur praeviae censurae ecclesiasticae eos saltem subiicere libros, qui divinas Scripturas, Sacram Theologiam, Historiam ecclesiasticam, Ius Canonicum, Theologiam naturalem, Ethicen, aliasve huiusmodi religiosas aut morales disciplinas respiciunt, ac generaliter scripta omnia, in quibus religionis et morum honestatis specialiter intersit.

42. Viri e clero seculari ne libros quidem, qui de artibus scientiisque mere naturalibus tractant, inconsultis suis Ordinariis publicent, ut obsequentis animi erga illos exemplum praebeant.

Iidem prohibentur quominus, absque praevia Ordinariorum venia, diaria vel folia periodica moderanda suscipiant.

CAPUT IV

De Typographis et Editoribus librorum.

43. Nullus liber censurae ecclesiasticae subiectus excudatur, nisi in principio nomen et cognomen tum auctoris, tum editoris praeferat, locum insuper et annum impressionis atque editionis. Quod si aliquo in casu, iustas ob causas, nomen auctoris tacendum videatur, id permittendi penes Ordinarium potestas sit.

44. Noverint Typographi et Editores librorum novas eiusdem operis approbati editiones, novam approbationem exigere, hanc insuper textui originali tributam, eius in aliud idioma versioni non suffragari.

45. Libri ab Apostolica Sede damnati, ubique gentium prohibiti censeantur, et in quodcumque vertantur idioma.

46. Quicumque librorum venditores, praecipue qui catholico nomine gloriantur, libros de obscenis ex professo tractantes neque vendant, neque commodent, neque retineant: ceteros prohibitos venales non habeant, nisi a Sacra Indicis Congregatione veniam per Ordinarium impetraverint, nec cuiquam vendant nisi prudenter existimare possint, ab emptore legitime peti.

CAPUT V

De poenis in Decretorum Generalium transgessores statutis.

47. Omnes et singuli scienter legentes, sine auctoritate Sedis Apostolicae, libros apostatarum et haereticorum haeresim propugnantes, nec non libros cuiusvis auctoris per Apostolicas Literas nominatim prohibitos, eosdemque libros retinentes, imprimentes et quomodolibet defendentes, excommunicationem ipso facto incurrunt, Romano Pontifici speciali modo reservatam.

48. Qui sine Ordinarii approbatione Sacrarum Scripturarum libros, vel earundem adnotationes vel commentarios imprimunt, aut imprimi faciunt, incidunt ipso facto in excommunicationem nemini reservatam.

49. Qui vero cetera transgressi fuerint, quae his Decretis Generalibus praecipiuntur, pro diversa reatus gravitate serio ab Episcopo moneantur; et, si opportunum videbitur, canonicis etiam poenis coerceantur.

Praesentes vero litteras et quaecumque in ipsis habentur nullo unquam tempore de subreptionis aut obreptionis sive intentionis Nostrae vitio aliove quovis defectu notari vel impugnari posse; sed semper validas et in suo robore fore et esse, atque ab omnibus cuiusvis gradus et praeeminentiae inviolabiliter in iudicio et extra observari debere, decernimus: irritum quoque et inane si secus super his a quoquam, quavis auctoritate vel praetextu, scienter vel ignoranter contigerit attentari declarantes, contrariis non obstantibus quibuscumque.

Volumus autem ut harum litterarum exemplis, etiam impressis, manu tamen Notarii subscriptis et per constitutum in ecclesiastica dignitate virum sigillo munitis, eadem habeatur fides quae Nostrae voluntatis significationi his praesentibus ostensis haberetur.

Nulli ergo hominum liceat hanc paginam Nostrae constitutionis, ordinationis, limitationis, derogationis, voluntatis infringere, vel ei ausu temerario contraire.—Si quis autem hoc attentare praesumpserit, indignationem omnipotentis Dei

et beatorum Petri et Pauli apostolorum eius se noverit incursurum.

Datum Romae apud Sanctum Petrum anno Incarnationis Dominicae millesimo octingentesimo nonagesimo sexto, VIII. Kal. Februarias, Pontificatus Nostri decimo nono.

A. CARD. MACCHI.

A. PANICI *Subdatarius*

VISA.—DE CURIA I. DE AQUILA E VICECOMITIBUS

Loco ✠ Plumbi

Reg. in Secret. Brevium

I. CUGNONIUS.

E SECRETAR. BREVIUM.

BREVE QUO UNIVERSIS FRANCISCALIBUS TERTIARIIS PARTICIPATIO INDULGENTIARUM CUM PRIMO ET SECUNDO ORDINE AD QUINQUENNIUM CONCEDITUR.

Bme Pater,

Fr. Bartholomaeus a S. Donato, Director Tertii Ordinis S. Francisci in Conventu Aracoelitano Urbis, ad pedes Sanctitatis Tuae humiliter provolutus, nomine suo et universorum pariter Tertii Ordinis Fratrum ac Sororum, enixe implorat ut Sanctitas Tua utriusque sexus Tertiariis concedere dignetur communicationem, seu participationem indulgentiarum et bonorum operum, in vita et in mortis articulo, quibus gaudet Ordo Franciscanus, ut eorumdem animae ex hac vita migrantes vel in purgatorio detentae, solamen exinde percipere valeant. Pro qua gratia, etc.

VOTUM P. PROCURATORIS ORDINIS.

Beatissime Pater,

Cum ex S. C. Indulgentiarum die 31 Jan. 1893 (1), responso ad dub. XVI declaratum sit Tertium Ordinem non habere

communicationem gratiarum cum Primo Ordine ex quo pendet, absque speciali Indulto S. Sedis, ideo benixe commendo preces pro tali Indulto concedendo Tertio Ordini Franciscano, sicut jam concessum est Tertio Ordini S. Dominici.

Romae, ad S. Antonium, die 23 Maji 1896.

Fr. RAPHAEL AB AURELIACO,
Proc. GLIS *Ordinis.*

LEO PP. XIII.

AD FUTURAM REI MEMORIAM.

Cum dilectus filius Bartholomaeus a S. Donato, Commissarius Tertii Ordinis S. Francisci Assisiensis, in Coenobio de Aracoeli almae hujus Urbis Nostrae degens, suo et universorum dicti Tertii Ordonis confratrum ac consororum nomine, enixas Nobis preces humiliter adhibuerit, ut Tertiariis utriusque sexus, ubique terrarum existentibus, omues et singulas indulgentias ac spirituales gratias communicare velimus, quibus Ordinis Franciscalis fratres monialesque gaudent, Nos quibus nihil antiquius, quam ut tam frugifera societas, conspicuis in rem catholicam meritis praeclara, uberiores capiat in DOMINO fructus, simul animo intendentes in spirituale emolumentum dictorum sodalium, votis hujusmodi annuendum existimavimus. Quare de Omnipotentis Dei misericordia ac BB. Petri et Pauli Apostolorum ejus auctoritate confisi omnes et singulos nunc et pro tempore, utriusque sexus fideles, ubique terrarum in Terium Ordinem S. Francisci Assisiensis legitime adlectos, tum quoad vitam vixerint, tum post obitum, servatis quae serventur opus est, ac dummodo respective quae pro iis lucrifaciendis pietatis opera injuncta snnt rite praestiterint, Apostolica Nostra auctoritate vi praesentium, indulgentiarum ac piorum operum quibus Primus et Secundus Ordo Franciscalis pollet, participes esse volumus, edicimus, ac mandamus. Non obstan-

tibus Nostra et Cancellariae Apostolicae regula de non concedendis indulgentiis ad instar, aliisque Constitutionibus et Ordinationibus Apostolicis, ceterisque contrariis quibuscumque. Praesentibus ad *Quinquennium* valituris. Volumus autem ut praesentium Litterarum transumptis seu exemplis etiam impressis, manu alicujus notarii publici subscriptis et sigillo personae in ecclesiastica dignitate constitutae munitis, eadem prorsus fides adhibeatur quae adhiberetur ipsis praesentibus si forent exhibitae vel ostensae.

Datum Romae apud S. Petrum sub annulo Piscatoris die VII Julii MDCCCXCVI.

. Pontificatus Nostri Anno Decimo nono.

Pro Dno CARD. DE RUGGIERO.

NICOLAUS MARINI, *Substit.*

CONFERENCES.

THE AMERICAN ECCLESIASTICAL REVIEW proposes to answer in this department questions of general (not merely local or personal) interest to the Clergy. Questions suitable for publication, when addressed to the editor, receive attention in due turn, but in no case do we pledge ourselves to reply to all queries, either in print or by letters.

THE CLERGY AND THE SUMMER SCHOOL.

The elevation of the Very Rev. Dr. Conaty, late President of the Catholic Summer-School of America, to the important position of Rector of the Catholic University, has indirectly emphasized the favor with which the Summer-school is regarded by the highest ecclesiastical dignitaries in this country. It will not be denied that the institution over which he presided, with so much tact and dignity, has caught some reflected glory from the exalted place he now holds. On the other hand, it is clear that the opportunities, which the duties connected with the work of the Summer-school gave to its president, of exercising those special qualities desirable in the head of our highest educational establishment, contributed to the happy result of his election. All this indicates that the Summer-school idea claims and receives the attention and warm approval of the leading churchmen in this country. It may however still be of interest to consider the relations of the great body of the clergy to this new educational idea, as upon them in reality depends the execution of the good will and good wishes manifested by the hierarchy.

Let me briefly consider what those relations have been in the past, what they at present are, and what they should

be in the future. Now, that my official relations with the Summer-school have been discontinued, I may speak more becomingly and with more freedom of that which I do know.

I believe I am not overstating the case when I say that a very considerable part of the secular clergy received with apathy the proposal to establish a Catholic Summer-school. In some instances there was an active hostility that took the most insidious form of attack—ridicule. The "Sunday-school," as it was facetiously dubbed, was laughed at; its projectors were set down as enthusiasts, well meaning, perhaps, but just a trifle touched, perchance, as far as some of the clerics were concerned, looking for the cheap notoriety that comes from doing something unusual. The time-honored inquiries as to pedigree were not wanting: who and what are they? Fortunately the founders of the Summer-school, not having any personal ends to serve, and conscious of a high purpose, were able to ignore this element. They did, however, find it somewhat discouraging to meet at almost every turn, not hostility, but utter want of interest. The encouragement given them, however, by the hierarchy; the responsive sympathy offered by a number of whole-souled men, able to look beyond the horizon of their own parish limits, whose hearts warmed to any project tending to the intellectual betterment of our people, and who did not think that any appeal made to their parishioners for such a work was a sacrilegious attack upon their local *corbona;* and, above all, the practical acquaintance possessed by some of the older of our founders with the temper and habits of mind and action of our American clergy, enabled them to keep up their courage, and their confidence that if the scheme really possessed the good they thought it did, God would not allow it to fail, and the clergy, convinced of its worth, would give it their support.

Few will ever realize the difficulties attending the organization of the first session held at New London, Conn. The absence of the clergy from the large cities was notable and commented upon at the time; but, on this, as on other

occasions, the quality more than atoned for the decided lack of quantity. The Archbishop of New York put himself to considerable inconvenience, journeying specially to New London to speak in person his words of congratulation; honest, hearty and frank Bishop McMahon, although even then suffering from the malady that was soon to call him hence, presided at the opening solemn Mass, at the first lecture, and addressed the school several times during the session. Other eminent ecclesiastics looked in on the school, and all expressed their cordial delight at what they saw. It surely was a most important event from the view-point of a priest who was desirous of seeing in harmonious combination all the elements of the Church in this country, which for so many and various reasons have somehow been kept apart until something very much like secret hostility has crept in. To quote from an account of the first session :[1] "That much neglected body, the Catholic teachers in public schools *were largely in the majority*. . . . The Summer-school . . . has also created a more cordial fellowship and a deeper sympathy. . . . It was a sight to make the Catholic heart glow with pride to see a gathering which counted an archbishop, a bishop, hundreds of priests—including Jesuits, Dominicans, Paulists,—Christian Brothers, Sisters of Mercy, and the laity. . . . Among the many happy remembrances of the Summer-school *none will give more pleasure than the acquaintances formed at New London.*" These are significant indications of what the school actually accomplished at its first session.

The priests were quick to appreciate the value of this practical demonstration of the power for good possessed by the Summer-school. They showed their interest in many ways, following closely the efforts made to secure a permanent habitation for the school. Pastors of suburban and summer resorts outdid the owners of real estate in those places in striving to set forth the heavenly attractions and providential suitability for the purposes of the school.

1 *The Catholic Reading Circle Review*, Vol. II, pp. 744-745.

When, as many think, unwisely, the present site was chosen, the interest of the clergy did not slacken, but a large number of them visited the school at its next session, and encouraged it not only with their presence, but in other ways equally substantial.

The interest of the clergy in the Western country from the first had been aroused in the enterprise ; with the result that a Western school was organized with a Bishop as its President. Out on the Pacific slope the reading circles were organized into one association under the direction of the Vicar-General of San Francisco, and recently the clergy showed their decided interest in the idea in the two Sessions of the Winter-School at New Orleans.

The apathy of the clerical body has been overcome and their active interest enlisted, and the fruits are everywhere in evidence. Reading circles are organizing on all sides. Lectures on literary, historical, scientific topics are being delivered before large audiences of our Catholic people; the hearts of the publishers have been gladdened by unexpectedly great sales of their books ; and everywhere the work of the zealous priest can be seen, now that it has been made evident to him that the Summer-school idea, which is the germ of all this intellectual movement among our people, is not a " fad," but a work with the blessing of God upon it and destined to make for the advancement of our people.

Too often with us the inertia, which is misnamed conservatism, is allowed to remain unrebuked. True conservatism approved warmly of the Summer school idea, and slowly but surely the inertia is being overcome.

J. McM.

THE "SANATIO IN RADICE."

Editor AMERICAN ECCLESIASTICAL REVIEW.

REV. DEAR SIR :—Allow me to make a few remarks regarding the matrimonial case in the February number, on page 181.

It is there stated that the Bishop can apply the "sanatio in radice" when the marriage is invalid because the non-Catholic

party is not baptized, even though the unbaptized party refuses to give the usual guarantees required in such cases.

A few years ago a brother priest, who had just such a case, applied to the Bishop for a "sanatio in radice," and received the following answer: "The sanatio in radice" cannot be applied in this case, because the Bishop has faculty only in such cases in which he could have from the beginning dispensed. Now the Bishop could not dispense "ab impedimento disparitatis cultus" unless the required guarantee were given, this being a "conditio sine qua non." Therefore, as he could not dispense in the first instance without the guarantee, so he cannot now apply the "sanatio in radice" without it.

Of course the solution of this difficulty hinges upon the question: Is the giving of the required guarantee a *conditio sine qua non ad validitatem dispensationis* or not?

What is the general opinion of Theologians on this point?

Resp. The above assumption is perfectly correct in as much as the solution of the difficulty hinges upon the question whether or not the giving of the required guarantee be a *conditio sine qua non ad validitatem dispensationis.* As the answer to this must necessarily be in the affirmative, it follows that the Bishop could not have granted the dispensation asked by a "brother priest."

I have practically taken up this same position in the March number of the REVIEW, where after giving my opinion with regard to the main portion of the solution, I took exception to an implied statement on this very point. I there expressly said that I could not endorse what seemed to be admitted in the previous solution, namely, that the *sanatio in radice* could be granted even when the unbaptized party is openly unwilling to agree to the usual promises and conditions, required by the Church." Now, however, that the issue has been clearly raised by the queries of several correspondents, I take occasion to answer more at length.

The guarantee required by the Church in every "mixed" marriage is contained in the formula presented to the non-Catholic party, and to be signed by that party. As given in

the statutes of several of our dioceses, it reads as follows: "*I, N. N., hereby promise N. N. entire freedom in the exercise of the Roman Catholic religion; and should our marriage be blessed with issue, I furthermore promise to allow our children to be baptized and educated in the Roman Catholic faith.*"

Now there may be accidental differences in the way of expressing these promises, as also in the manner of exacting them. Consent to them may even at times be lawfully presupposed, as, for example, when the character and frame of mind of the unbaptized party are so well known to the pastor that it would be considered useless or unnecessary to propose these conditions explicitly. But if it is known that acceptance of them has been refused, no dispensation can be granted. The reason is, as has been already stated, because they form a *conditio sine qua non.* This was clearly laid down by Cardinal Antonelli in an "Instructio" dated November 15, 1858, and sent in the name of Pope Pius IX to all Archbishops and Bishops. The Holy See, writes the Cardinal, has in the past allowed "mixed" marriages for grave reasons, and will continue to do so, but "nonnisi sub expressa semper conditione de praemittendis necessariis opportunisque cautionibus, ut scilicet non solum Catholicus conjux ab acatholico perverti non posset . . . . . verum etiam ut universa utriusque sexus proles ex mixtis hsice matrimoniis procreanda in sanctitate catholicae religionis educari omnino deberet." This citation would in itself be enough to prove my point, but the "Instructio" goes on to add the following words: "quæ quidem cautiones remitti seu dispensari nunquam possunt, cum in ipsa naturali ac divina lege fundentur." Again, the next paragraph begins thus: "Insuper in tribuendis hujusmodi dispensationibus, praeter enunciatas conditiones, quae praemitti semper debent et super quibus dispensari nullo modo unquam potest, etc." The whole "Instructio" may then be summed up as follows: In granting dispensations to contract mixed marriages we have to distinguish the *reasons* from the *conditions.* The reasons must be *grave* and *canonical,*

just as in the case of other matrimonial dispensations, and should there exist no such just reason, the dispensation would be null and void if granted by a bishop, but valid if given by the Pope. With regard to the *conditions*, we must distinguish two classes of them. Some are merely rubrical, and are insisted upon in order to show that the Church does not favor such marriages; these of course admit of dispensation. Others are essential, and required both by the divine and natural law, and consequently no bishop, nor even the Pope himself, can dispense from them.

From all this it follows that there can be no doubt as to the proposition set down at the beginning of this answer, namely, that the promise usually required before marriage from the unbaptized party is an essential condition for the validity of the dispensation.

But, it is asked, is the use of the faculty, granted to our bishops to heal *in radice* a marriage null and void by reason of the impediment *disparitas cultus*, precluded by a refusal to make these required promises? Perhaps it might be objected that although our bishops cannot dispense *ante factum*, they may do so *post factum*. This indeed would not be the only case to which such a distinction could be applied. We know, for instance, that a bishop in this country cannot dispense from the double impediment of *consanguinitas and disparitas cultus* before the marriage has been contracted, but that after such marriage has been effected, though invalidly, he has the power of dispensing. "In matrimoniis contractis non autem in contrahendis" are the exact words in which this faculty is couched. I answer that this does not hold good for the case under discussion, and that therefore our bishops cannot heal *in radice* a marriage that is null and void on account of *disparitas cultus*, unless the unbaptized party is willing to make the usual promise. The reason is not far to seek. In the faculties granted to each bishop it is expressly stated that the power to heal *in radice* refers only to an impediment "super quo ex Apostolicae Sedis indulto dispensare ipse possit." Now as no bishop can dispense *ante factum* in a case where consent to these promises has been refused,

it follows that the same limitation remains in force even *post factum*. With regard to the parity claimed for the above-mentioned case of a double impediment, I answer that there exists no parity, for the simple reason that there is question only of impediments which are entirely *de Jure ecclesiastico*, and these the Church has most assuredly power to dispense. Not so the promise of which we are speaking. Based alike on the divine and the natural law, it constitutes a condition which the Church cannot waive. It is needless to add that on this point there is no divergence of opinion among Catholic Theologians.

One word in conclusion. From what has been said it is clear that I am in full accord with the views advanced by your Rev. correspondent, and I have only endeavored to develop and emphasize the principles put forward in his brief but scholarly communication.

A. SABETTI, S.J.

FATHER SABETTI'S VIEW OF THE "SANATIO IN RADICE."

Qu. Editor AMERICAN ECCLESIASTICAL REVIEW:

REV. DEAR SIR:—The March number of your esteemed REVIEW has just reached me, and I have read with special interest Fr. Sabetti's reply to the strictures passed on your solution of the case *de sanatione in radice* of the preceding issue. His remarks are clear and, to my thinking, very satisfactory. But why has he said nothing about a certain point advanced in the closing paragraph of the criticism? The learned critic seems to state, or at least to imply, that the consent given by the unbaptized party at the time when the marriage was contracted, which consent is presumed not to have been subsequently revoked, is identical with the consent called in Canon law "*praesumptus*." From this he goes on to infer that since this presumed consent has been declared by the present Pope no longer to enter as a factor in the settling of matrimonial cases, it would follow that no fixing up of the marriage in question is possible without the actual renewal of the consent formerly given by both parties.

Is it true that the two consents are identical? Have we not here a misconception in the use of canonical terms?

QUASI PAROCHUS.

Resp. The two terms are in no sense identical, but represent entirely different ideas. If I did not point out this difference in my preceding answer it was because it would have led me into a discussion foreign to the main purpose of my paper, and, on the other hand, I felt confident that the dictum, "qui tacet, consentire videtur," would not in this case be applied to me.

The consent once given by the unbaptized party is something really existing, and as such capable of being proved by witnesses. Hence, if not revoked, it continues to exist, and is therefore denominated by theologians *consensus habitualiter perseverans.* The question of the revocation or non-revocation of such consent may sometimes be made clear to us beyond all doubt by the testimony of the person himself. At other times we may take for granted that it has not been revoked: we *presume* that it still exists. This is called *praesumptio facti.* For instance, we know that the husband has no quarrel with his wife, that his love for her has undergone no change, and we conclude that the consent expressed on occasion of their marriage still remains. We may be mistaken, it is true, in this supposition, as we are in many other assumptions of facts, and should we have any suspicions on this score, we must use diligent efforts to ascertain the truth.

The consent called by canonists "praesumptus" is, however, quite a different thing from the consent I have been just describing. It is not a *true* or *real* consent capable of being juridically proven, since it was never expressly given; nor is it a mere assumption devoid of all foundation. It is something between these two extremes which we can best designate as a *praesumptio juris.* The principal case to which this kind of consent is applicable was when a man and woman free from all other impediments, and living in a place where the *Tametsi* was not in force, after having contracted valid espousals, would have had before marriage perfect sexual intercourse. This act would be taken by the Church, *in foro externo*, as an expression of consent to become husband and wife, and nothing that the parties would say to the con-

trary would obtain credence. Hence this *praesumptio* is called *juris et de jure.*

A short citation from Schmalzgrueber (Vol. IV, p. I., tit. 1., n. 115 et seqq.) will make clear the precise character of this presumption. "Jure antiquo sponsalia de futuro per secutam copulam carnalem transibant in matrimonium, prout sumitur ex *cap. Veniens 15*, et ex *cap. Is qui 30, hoc titulo.* Ratio est quia Ecclesia ex carnali copula praesumit in sponsis conjugalem consensum ad excludendum peccatum, quod scilicet sponsus et sponsa non fornicario sed maritali affectu se invicem cognoscere voluerint; quia delictum non est praesumendum. Estque praesumptio ista juris et de jure, h. e., omnino certa et indubitata, contra quam non admittitur probatio; consequenter, ubi jus hoc antiquum viget, non audiretur sponsus asserens, se sponsam non maritali sed fornicario solum affectu cognovisse, et si matrimonium postea contraheret cum alia, compelleretur ad hanc deserendam, et adhaerendum primae. . . . . Habet autem praesumptio ista locum solum in foro contentioso et judiciali, non vero in interno conscientiae; nam in hoc judicatur secundum rei veritatem, et non secundum praesumptiones, si his aliud quid praesumatur, quam habet rei veritas. Hinc si sponsus sponsam revera non maritali, sed fornicario affectu cognovit, in foro poenitentiali et coram Deo non esset matrimonium; quia Papa non potest facere, ut sine consensu expresso vel tacito sit verum matrimonium."

Now it is precisely this *praesumptio juris et de jure* that Leo XIII, by decree of February 15, 1892, abolished and ordered to be expunged from canonical legislation. He assigns as his reason for so doing the belief, now become universal among Christians, that such act is neither more nor less than fornication, and cannot therefore be interpreted to constitute a lawful marriage. But we are not at liberty to argue from this change in the Canons that the *praesumptio facti*, or to call it by its technical term, the *consensus habitualiter perseverans*, has lost its force and vigor. Such consent cannot be annulled or suppressed, since it is beyond the power even of the Pope to change facts. The argument,

therefore, deduced from the supposed parity between the *praesumptio juris* and the *praesumptio facti*, falls to the ground, because it rests on a misconception of canonical terms.

A. SABETTI, S. J.

VALIDITY OF BAPTISM.

Qu. Father A receives an urgent call to attend the death-bed of Mr. B. On his arrival he finds the patient delirious and dying. From his knowledge of the man during life, Fr. A is in a quandary. Years ago B became a Catholic to get married, or rather, as he expressed it, he allowed himself to be baptized as a matter of form, without the intention of submitting himself to the Church. After marriage he never attended any religious service, but made efforts to have the elder children baptized in the sect to which he formerly belonged. As the children grew up, they, with their mother, seemed to exercise some influence upon the father by the faithful observances of their Catholic duties. Sometimes he went to Mass, called himself a Catholic, and expressed a determination to die a Catholic. At other times, with a fondness for indulging in controversy, he would argue against, or criticise certain Catholic practices.

Fr. A was aware of all this; and, thinking that B's former baptism was invalid for want of proper intention, he re-baptized him and gave him the last sacraments conditionally.

Did Fr. A do right in re-baptizing him?

Resp. In the light of the ordinary principles laid down in Theology, Father A could not re-baptize the dying man. We have here an act duly performed—the administration of the sacrament of Baptism—and nothing is brought forward to prove the absence of any essential element. Therefore, the baptism must be pronounced theologically and juridically valid.

The only possible objection that could be advanced against its validity would rest on B's supposed want of intention in its reception. Let me, then, examine this point in detail.

The intention of receiving baptism is certainly required for its validity in the case of adults. Theologians have but

one opinion on this point. But when they come to determine the precise nature of this intention, and the manner in which it should be given expression, they are divided. Putting aside, for the present, opinions which are more or less probable, we may, with Lehmkuhl, Vol. II, N. 77, lay down this principle—an adult who has especially asked to be baptized has beyond all possible doubt the requisite intention. Now, is there anything stated in the case we are considering that would lead us to believe that B had not this intention? The fact that he would not submit to the laws of the Catholic Chuch, that he has made efforts to have the elder children baptized in the sect to which he formerly belonged, and that he has criticised certain Catholic practices, does not in any sense prove the lack of intention in his reception of the sacrament. At most, it only convicts him of inconsistency. Every good, sincere Protestant has certainly the intention needed for the validity of baptism. As a matter of fact, on their entrance into the Church, converts who have already been baptized as adults in the sects which they are abandoning, do not, as a general thing, receive conditional baptism on account of any lack of intention in their former reception of this sacrament, but by reason of probable or certain defects in its due administration. They certainly desired to become Christians, and this was all that was absolutely required in the way of intention. Therefore, apart from the fact that B asked for Catholic baptism, or, as he puts it, in all likelihood to excuse himself in the eyes of his Protestant friends, "has allowed himself to be baptized as a matter of form," I maintain simply on the ground that he has shown himself an earnest member of his sect, and has endeavored to have some of his children baptized in that sect, he has thereby sufficiently manifested his intention of becoming a Christian at the time of his Catholic baptism. The baptism, consequently, is perfectly valid, and I am forced to conclude that had Father A these principles clearly before him, and had he decided the case from a strictly theological standpoint, he would not have repeated the sacrament.

However, practically speaking, I cannot blame Fr. A, and I doubt greatly whether many other priests would not have pursued a similar course under like circumstances. When there is question of a sacrament so absolutely necessary as Baptism, we are allowed to go to the greatest possible limits in its conditional repetition. Lehmkuhl, Vol. 2, N. 16, after having stated that we may repeat baptism whenever there exists a *reasonable doubt* with regard to the validity of the first baptism, adds that the doubt would be reasonable, if it is not a "*merus et inanis scrupulus.*" Before him Gobat, Tract 2, N. 381, defined a reasonable doubt to be "illud quod non est aperte vanum." Now, can we justly say that Fr. A's doubt is *aperte vanum*, and nothing more than a *merus et inanis scrupulus?* Certainly not. He has known the dying man for several years, and is, therefore, in a position to judge, more or less, correctly of his dispositions. He is not, as we have seen, obliged to rebaptize B, but still he may do so *tuta conscienta.*

A. SABETTI, S. J.

THE LAW OF ABSTINENCE FOR WORKINGMEN.

Qu. In virtue of powers granted to the American bishops by the Holy See on March 15, 1895, for ten years, workingmen and their families are allowed the use of flesh-meat once a day on all fast days and days of abstinence throughout the year, with the exception of all Fridays, Ash Wednesday, the Wednesday and Saturday in Holy Week and the eve of Christmas.

Now, if the Ordinary of a diocese does not make use of this apostolic dispensation in favor of said workingmen and their families, could these persons make use of flesh-meat once a day on the above-mentioned days, with the above-mentioned exceptions, even though the Ordinary does not grant it, or makes no mention of said apostolic dispensation?

Resp. The text of the Indult, by which the above dispensation was granted, removes all doubt regarding its application. Unless the Ordinary of the diocese expressly allows the privilege, it may not be presumed upon.

"Re mature perpensa," reads the Indult, "praefata S. Congregatio censuit magis expedire ut quin detur *indultum quoddam generale* pro omnibus Statibus Foederatis, tribuatur potius facultas *singulis Ordinariis* ad decennium permittendi usum carnium in iis circumstantiis locorum et personarum, in quibus judicaverint veram existere difficultatem observandi legem communem abstinentiae."

The Sacred Congregation, in plain terms, refusing a *general* indult, leaves the measure of relaxing the Ancient Church law to the discretionary power of the individual Ordinaries. The Ordinary alone is the judge of the present need under which the dispensation may be applied in his diocese.

HOLY WEEK IN A SMALL COUNTRY PARISH.

Qu. The pastor of a small country parish where there is no choir capable of singing a Mass wishes to know what part of the ceremonies proper to the last three days of Holy Week he may perform without music.

Resp. Practically all the ceremonies, if the priest has three or four Altar-boys, or devout men, instructed to assist the celebrant.

The priest simply reads all the prayers, just as they are found in the Missal, and for the Processions, Adoration of the Cross, etc.; and he is at liberty to either recite or *chant* the hymns, or have them recited by one of the assistant ministers.

This concession was made by Pope Benedict XIII, on Dec. 4, 1724, for parish churches only; and the order of proceeding is found in the Baltimore Ceremonial, pp. 91 et seqq.

(De Herdt, Vol. III, n. 43.)

STATUES ON THE ALTAR.

Qu. The back of the High Altar in a certain chapel is built high into the ceiling (arched). A statue of the Sacred Heart of Jesus stands in the middle, behind and overlooking the tabernacle. Is it

permissible to adorn such a statue, or any, in a special manner by placing flowers and candles over (not on) the tabernacle, with the Blessed Sacrament in it?

I consider such practice a distraction from the B. S.—especially since to so decorate it, it is necessary to build a structure over the altar, and to climb on the altar proper.

Resp. The screen behind the High Altar (called the *reredos*) was introduced precisely for holding statues, since these were not allowed to be placed on the altar.

There is no objection to adorning such statues, especially when they represent Our Lord or the Patron Saint of the Church.

When the Blessed Sacrament is exposed it is customary (in Rome) to cover the statues by means of ornamental drapery so as to concentrate devotion upon the Real Presence. Where it is inconvenient to do this it is usual to remove the lights which at other times burn before the statues.

THE STATIONS OF THE CROSS DURING EXPOSITION OF THE BLESSED SACRAMENT.

Qu. Is it allowed to conduct the "Stations of the Cross" publicly while the Blessed Sacrament is exposed? I know it is done on the grounds of custom, and the fully carrying out the Lenten devotions as well as the Sacred Heart devotions for the first Friday.

It seems to me opposed to the proper worship of our Lord in the Blessed Sacrament, and to the spirit of the Church on such occasions; but I cannot find any particular law or rubric covering just this point.

Resp. Though we are not aware of any explicit prohibition forbidding the making of the "Stations" during public exposition of the Blessed Sacrament, the spirit of the ritual legislation seems to be opposed to such practice. The rule laid down by de Herdt and other rubricists is: "Tempore

expositionis cavendum est non tantum ab omnibus quae irreverentiam, sed etiam quae distractionem causare possunt." Hence all relics, statues, paintings are to be removed from proximity to the Blessed Sacrament; private Mass, distribution of the Holy Communion (outside of necessity) are to take place at another altar; likewise the blessing of palms; the procession on Palm Sunday, Candlemasday and Ash-Wednesday are to be omitted, etc., all on the principle "ne mentes in diversa distrahantur."

From these regulations it appears to follow that an exercise of devotion like the Stations of the Cross, however excellent in itself, should be omitted because it necessarily withdraws attention from the central object of adoration.

REPOSITORIES IN HOLY WEEK.

Qu. I find frequently for a repository during the last days of Holy Week a little tabernacle with glass doors before it. I know, years ago, the B. S. was put openly on an elevation—on a side-altar perhaps—in a chalice or ciborium with only a little mantle over it. Then a decree from Rome was found to be against it, and repositories with glass doors were introduced. What is to be said about the practice?

Resp. The above descriptions of tabernacles may not be contrary to the rubrics in the strict sense of the term; but from the tenor of the ritual prescriptions and from analogy, it is quite clear that glass doors are out of place in the repository.

The rubrics require a *capsula* which is to be closed and locked and rendered secure, whether a guard be left in the church at night or not. This can hardly be observed in the case of ordinary glass doors. Moreover, an arrangement, which permits the pyxis or chalice to be seen, is a species of public exposition not contemplated under the rubrics. All this renders the above-mentioned form of repository or tabernacle objectionable.

THE RUBRICS OF THE "ASPERGES."

Qu. Father Wapelhorst says: Capite detecto et cum ministris genuflexus accipit a Diacono aspersorium et *incipiens Antiphonam* "Asperges me"—statim ter adspersit altare, etc., deinde se, et erectus, etc.;—and the Missal has: Ter aspersit altare deinde se, et *erectus* ministros, *incipiens* Antiphonam.

Which is correct? Must the priest intone the "Asperges" kneeling or standing?

Resp. The "Asperges" is to be intoned *kneeling*. The rubrics of the Missal are not quite clear, but the Ceremoniale Episcoporum leaves no doubt: "in infimo ejus (altaris) gradu genuflexus—accipiet ex manibus Diaconi aspersorium cum aqua benedicta, et intonando Antiphonam *Asperges me*," etc.

THE POSITION OF THE ALTAR-STONE.

Qu. Having had occasion to say Mass in many different churches of late, I noticed in some instances that the altar-stone (altare portatile) was placed in or on the "mensa" in such a way that the "Sepulchrum" (being in the centre), and the four crosses marking the places of the sacred unctions, were not turned upward, and the unmarked side of the altar-stone constituted the top or place on which the Chalice and Host were being placed. Is this not contrary to rubrics? And if so am I allowed to celebrate on an altar thus arranged, especially when it may attract attention if I were to arrange the stone differently, or if the altar linen is so fastened that it cannot conveniently be done?

Resp. The odd position of the altar-stone need not prevent a priest from saying Mass; for the sculptured crosses are not necessary, and the relics may be placed beneath the table of the altar, as was the custom in ancient times. The error should, however, be remedied, if convenient, after Mass.

THE FORM AND BLESSING OF THE AGNUS DEI.

Qu. REV. DEAR SIR:—In Father Lambing's book, "The Sacramentals of the Catholic Church," page 221, we find the following statement regarding the *Agnus Dei:* "From the hands of these

several persons the *Agnus Deis* find their way by subdivision and distribution to all parts of the world, where, with the care of pious persons, religious women for the most part, they are divided into small portions and encased in appropriate covers—generally in the form of a heart—for the use of the faithful."

In a letter from a learned clerical friend in Rome we come across the following passage, viz.: "Agnus Deis are now very scarce in Rome, so scarce in fact, that it is nearly impossible to obtain them. I succeeded recently in getting some for my own relatives, but it was only through superior influence . . . . I could never understand the meaning of those silken hearts made in America by the different Sisterhoods, and which they call 'Agnus Deis.' I begin to suspect that they place in those hearts a little of that wax blessed by the Pope and call it an '*Agnus Dei*.' That may be a *pious* humbug, but a humbug it is undoubtedly, as any piece of wax would do as well and even better if it were blessed by a priest. You know very well that an article blessed in a certain form is valueless if broken to pieces, otherwise a crucifix, for instance, blessed by the Pope, might be broken into fragments and distributed as a gift." This latter statement seems to contradict the above quoted from Wapelhorst. What do you think of the matter? If you wish it I can send you the letter from which I have made the quotation.

Resp. Your learned Roman friend is in error.

The Sovereign Pontiff blesses the *Agnus Deis*, which are made in the form of thin, round or oval, wax tablets several inches in diameter, on the Sunday after Easter, first in the year of his elevation, and after that, as a rule, every *seventh* year only. This is one reason why they are scarce at times, particularly toward the end of the seven years' period.

Another cause of their comparative scarcity, at any time, lies in the fact that the unmixed wax used for this benediction is the remnant of the previous year's Paschal candles taken from the Sixtine Chapel and the Roman Basilicas. Generally, a quantity of new pure wax is added; nevertheless, the amount is limited since the tablets cannot be sold, and the Pontifical sacristan has only a certain quantity given him for the purpose of distribution.

As for dividing the tablets into small particles, and using them as is done by our religious, there is no objection what-

ever; nor do the parts (unlike the objects of devotion referred to by your correspondent) lose their blessing by the fact that they are detached from the original tablet. Let me explain:

When a crucifix, or an altar, or beads, etc., are blessed, the blessing is given to the *object.* So long as the objects remain what their name implies, namely, a crucifix, or altar, or beads, they retain the blessing. But in the benediction of the *Agnus Deis* the wax, that is to say the *material,* is blessed, and since that material is *ordinarily* subject to division and change of form (which cannot be said of objects as such), it retains its blessing for all its parts, as is the case with water, or bread, or ashes, etc., when blessed for a like purpose.

It is by reason of this distinction that the Church does *not* bless *objects* (as such) of brittle material, or such as will easily change their form.

There may be other "pious humbugs" in plenty, but there is none in wearing devoutly the *Agnus Deis* as our religious fashion them. From time immemorial it has been the custom for the Pontiffs to bless with special invocations of Christ's dear name the remnants of the Paschal lights. The faithful to whom fragments of this blessed symbol were distributed believed, and still believe, that as healing virtue went forth from the Savior's garment, and from the shadow of His successor, St. Peter, so health and blessing might issue forth from the reverent touch of objects blessed in His name by another successor of the High Priest at Rome. And in order that the form of the objects thus blessed might, in a silent way, express the prayer which they contain and signify and utter for him who so holds them, with frequently renewed intention, they were made to have the figure of a *lamb.* Thus the *Agnus Dei* spoke to the wearer, of purity, of sacrifice, of prayer, and of the hope of a blessed resurrection on the last Paschal day, when the Lamb Immaculate, who has atoned for our wrongs, will announce salvation to the followers in His train.

THE PORTIUNCULA FOR MEMBERS OF THE THIRD ORDER OF ST. FRANCIS.

Qu. Can members of the Third Order of St. Francis gain the Portiuncula without going to a Church to which this indulgence is specially attached? I understand that it suffices to visit the parish church. Is this true?

Resp. The Portiuncula indulgence was granted to members of the Third Order of St. Francis (Tertio Ordini Saeculari S. P. Francisci) for *five* years, beginning with 1896 inclusive.

During this time they gain the indulgence by making the usual visits in their *parish church, provided there is no church of the Franciscan Order in the same place.* The privilege extends to all other indulgences enjoyed by the First and Second Orders of the Franciscan religious family, and will, most likely, be renewed at the expiration of the five years' term.

The documents may be found in our *Analecta.*

THE POWER OF OUR BISHOPS TO APPLY THE "SANATIO IN RADICE" IN THE CASE OF "DISPARITAS CULTUS."

(The following communication reached us as we were about to go to press.)

To the Editor of the American Ecclesiastical Review:

If not asking too much, might I request the publication of the following comment in the April issue of the Review?

Although entertaining a very high opinion of the ability of my friend, the Rev. Father Sabetti, S. J., I cannot but regard his reply, in the March number of the Review, to my criticism of your position in reference to the *sanatio in radice*, as extremely weak. Why does he take up so much space in proving what I had not denied, namely, that the Holy See *can* grant to our bishops the faculty of healing *in radice* certain invalid marriages? The Holy See said it was *unwilling* to do so; and Father Sabetti argues as if it were a lack of *power*, not of *willingness*, that had been imputed to the

Holy See. The first part of his argument contains a manifest *ignoratio elenchi.*

In the next place, he quotes the powers conferred on our bishops in their "extraordinary faculties;" but is not this begging the question? The question in controversy is: "Does that faculty (No. 6. Extraordinariae D.) empower our Bishops to heal marriages invalid on account of the impediment of *disparitas cultus*"? If it does, then Father Sabetti must admit that our Bishops can subdelegate that power, not only to their Vicars-General, but also to two or three priests in remote places of their dioceses, since they are expressly authorized to thus subdelegate all powers granted to them in *Extraordinariae D.* But if they have this power, what is the meaning of the petition contained in Decree, No. 339 of the Second Plenary Council of Baltimore?—a petition which the Holy See did not grant! Did not the Fathers of that Council ask of the Holy See "ut ipsis fiat potestas communicandi missionariis, qui talia loca forte inviserint, facultatem sanandi in radice aut alias rehabilitandi matrimonia invalida propter impedimentum disparitatis cultus?" Why should they have petitioned for a power which they already possessed? Does not this petition, coupled with the fact that it was not granted, prove that the Bishops themselves have not, in virtue of the faculties quoted by Father Sabetti, power to heal *in radice* marriages null and void *propter impedimentum disparitatis cultus?* I hope that I am wrong and that Father Sabetti is right; for his construction of the powers vested in our Bishops by the Holy See would, as I have already admitted, offer an easy solution of a serious difficulty of very frequent occurrence, but I am by no means satisfied that his construction is correct. Does not the grant of powers in No. 6. Extraordinariae D suppose a pars *innoxia*, and a pars *conscia impedimenti?* To whom are these terms applicable in a case in which a Catholic has attempted to marry a non-baptized person? The latter knows, as a rule, just as well as the former in what light the Catholic Church holds such marriages.

Then Father Sabetti argues that "the power of healing *in radice* a marriage null and void on account of the impedi-

ment of clandestinity is certainly greater than the one required to heal a marriage invalid on account of the impediment of *disparitas cultus*." What argument does he allege to support this assertion? "In fact," he says, "while the ordinary dispensation from *disparitas cultus* is of daily occurrence in the Ecclesiastical Courts, we never hear of a dispensation to marry clandestinely being granted." This is, to qualify it mildly, a strange argument. Of course, we never hear of a dispensation being granted to marry clandestinely; but why? Because it is simply impossible to conceive such a thing. Can Father Sabetti conceive a possible case in which such a dispensation can be applied? Therefore, "quod nimis probat, nihil probat."

Finally, Father Sabetti contends that "while the impediment of clandestinity does away with the appearance of a true marriage, the disparitas cultus, on the contrary, does not work out, at least generally speaking, the same effect." To illustrate this point he asks the following question: "In fact, can we say that the marriage contracted by a Catholic and one unbaptized before a Protestant minister, for instance, in Philadelphia, is so deprived of the appearance of a true marriage as the one contracted clandestinely by two Catholics, say in New Orleans, or any other place where the Decree 'Tametsi' is duly promulgated, perfectly known and fully respected"? Father Sabetti expects his readers to answer, "No; the Philadelphia marriage has more of the appearance of a true marriage." But I think most of his readers will say that the clandestine marriage in New Orleans has much more the appearance of a true marriage. Whilst all Catholics, as a rule, know the law forbidding them to marry before a minister, few comparatively know the law against clandestine marriages. Let us suppose that Paul and Mary, both Catholics, who have grown up in Baltimore, go to New Orleans. Unaware of the consequences, they represent to the pastor of St. Patrick's Church that they have been living some months in his parish, whereas they have resided all the time in the parish of the Annunciation. Their banns are duly published in St. Patrick's

Church without reclamation; then they go before the altar, and in presence of the priest, they there solemnly take each other for man and wife. Who will say that this has not more of the exterior appearance of a true marriage than if Paul stole off under cover of night to a parson's studio, and there went through the farce of marrying an unbaptized woman? Can it then be true, as Father Sabetti avers, that the absence in clandestine marriages of the "species extrinseca veri matrimonii," was the reason why Rome refused to grant our Bishops faculties to heal in radice marriages null on account of the impediment of clandestinity?

Therefore, with all due respect to the unquestioned learning of the Rev. Father Sabetti, I confess he has not convinced me that our Bishops have the power of applying the *sanatio in radice* to marriages invalid on account of the impediment of *disparitas cultus.*

HOLY COMMUNION WITHOUT FASTING.

Qu. What are we to do in the case where a confirmed invalid, anxiously desiring Holy Communion, is debarred from receiving it all the year round, on account of having to take medicine before any food or liquid will remain in the stomach?

I have heard it said among priests that we can, according to a recent concession, obtain a dispensation from the fast before Holy Communion, in the case of the sick who are unable to keep the required fast, but who are not in any danger of approaching death such as would make it lawful to give them *Viaticum.* Is there such a concession? Could infirm priests make use of it to celebrate mass?

Resp. As there is no obligation of receiving Holy Communion for those who cannot receive fasting (except in the case of Viaticum), the Holy Eucharist is ordinarily denied in such cases, until the invalid is entitled to Viaticum.

Nevertheless there may be special reasons for a departure, in individual cases, from the general practice. Thus a person who has been accustomed to receive Holy Communion frequently, might suffer from the sudden privation of it to such

an extent as to seriously aggravate his or her malady. If such persons are able to fast at least for a short time, Holy Communion may be given them shortly after midnight, although the ritual plainly indicates that such practice is not to become the rule. But when the membranes of the stomach are so delicate as to reject all food, unless taken after medicine which prepares the organs for the process of digestion, and if this state of sickness becomes chronic, so as to be apt to last for a long time, perhaps years, there would be reason for dispensing from the fast without administering the Bl. Sacrament as Viaticum.

In such cases application is made to the Holy See for the privilege in the particular case. These applications, in form of petitions, must have the signature of the Ordinary of the Diocese.

The reason of so restricting a privilege which seems in itself only a slight deviation from the general discipline, is to guard the character of that discipline as a preventive of irreverence and abuse (St. Paul, I Cor. xi, 22) which might easily follow upon indiscriminate relaxation of the law of fasting. This is what the learned Ballerini (Opus Theol. Morale, vol. iv, Tract. X. sect. iv.) says on the subject: "Quid ergo si quis, propter stomachi debilitatem, etsi non decumbens, nunquam posset accedere ad ecclesiam jejunus? Ecclesiae consuetudo, ait ex communi sententia Gury, prohibet ei communionem. Illud proinde ipsi unum est reliquum, ut a Sede Apostolica facultatem petat, communicandi identidem non jejunus; *quae facultas, justis existentibus causis ac meritis, non aegre conceditur.*" He adds: "It is absurd to argue that the faithful should exercise their own discretion in this matter; or that it would be even prudent to leave it to bishops, parish priests, or confessors, to decide such cases, for the precept of fasting would thus soon be abolished altogether." (Ibid.)

There, is then, no new decree, nor any departure from the old practice; the faculty has been at the disposal of those who needed and desired its application, although the cases in which it is actually used are seemingly rare.

THE DIOCESAN ORDO IN THE CASE OF A RELIGIOUS ACTING AS CHAPLAIN.

Qu. If a Religious is appointed to act as chaplain in a public Oratory not under the control of the religious community to which he belongs,—is he obliged to follow the diocesan *Ordo*, or his own?

Resp. There is a recent decision of the Congregation of Rites which answers the following *dubium:*

Ubi unus tantum Sacerdos quoad missæ celebrationem addictus sit Oratoriis competenti auctoritate erectis in Gymnasiis, Hospitalibus ac Domibus quarumcumque piarum Communitatum; hic si sæcularis, teneturne sequi Calendarium Diœcesis in qua exstat Oratorium, et si regularis, Calendarium Ordinis, si proprio gaudet, *relinquere;* et si aliquando celebrent extranei, hi debentne se conformare Calendario Sacerdotis ejusmodi Oratoriis addicti?—*Affirmative in omnibus*, si Oratoria habenda sunt ut *publica;* secus *negative.*

N. B. The original text of this answer as it appeared in the "Revue Romaine" had omitted the word *relinquere* which we italicize to correct our own reprint of the *Dubium* as first published.

BOOK REVIEW.

TAPARELLI A. D'AZEGLIO, S. J. De l'Origine du Pouvoir, Traduit de l'Italien Par le R. P. Pichot, S. J., Paris. P. Lethielleux, 10 Rue Cassette. 1896. Pp. VIII, 355. Pr. 5 francs.

Padre Taparelli is best known to students of moral philosophy by his work, "Saggio di Dritto Naturale." Besides this great "essay," modestly so entitled, he was also the author of a "Critical Examination into Representative Governments in Modern Society," in which work he treated professedly of four subjects: social unity, universal suffrage, the origin of power, and the emancipation of adult peoples. These four subjects under the general caption, the "Origin of Power," have been translated into French, and from the contents of the present volume. Father Pichot sees a special appositeness in the teaching of Father Taparelli to the conditions now prevailing in his country. In France, he says, society is to-day disorganized to its very roots. Division is everywhere; amongst the members in the family; amongst the families in the commune; amongst the communes in the department, and in the province. There is disorganization in the civil order wherein the natural rights of families, professions, trades, etc., are no longer defended by their rightful representatives before the political power, but oftenest sacrificed by party politicians. There is disorganization in the political order wherein the factions old, young, nascent, despite the governmental power before the court of that almost idolized majority—the sovereign people. In the better part of the nation, in fine, in that, namely, which alone guards the germs of social resurrection, a large number, even of Catholics, are in more than one vital question infected with the spirit of separatism."

"The first historical, and the root philosophical cause of this tendency towards deeper and deeper social disorganization have been traced by Taparelli to Protestantism, and its logical consequent, rationalism. Protestantism, with its rationalistic leaven, is a ferment of division, not only in the religious, but also in the temporal order. It is the denial of right, and therefore, of national unity . . .

Once entered into a people, it impels them to substitute in their government opinion for faith and truth, and legality, for law. In such a state physical force becomes the one dike against communism and anarchy."

To the development of this position the first chapter of the work at hand is devoted. "What is to maintain amongst us," inquires Father Pichot, "after so many bloody revolutions, after so many deceptions and disgraces, the reign of Opinion and Legality? A blind, mendacious, covetous respect for that majesty called the *sovereign people*, and its political incarnation Universal Suffrage." Father Taparelli has given the second part of his work to the question of universal suffrage, showing that such suffrage is false in principle, and unjust and baneful to society, inimical to all government. What remedies are there for the advancing decomposition of society? Supernatural remedies there are in the doctrines and practices of Christianity. Of natural remedies the first is a return in the civil order to the "natural constitution of society, that is, to true and full liberty as regards social organisms; the family, commune, province, associations, corporations, etc., and this in every department of national life: religion, education, agriculture, industry, commerce, etc." This reorganization is to be effected "not by unusual suffrage, but by legitimate representation of the family in the commune, of the communes in the province, of the province before the political power."

Lastly, it is necessary to distinguish the civil from the political order—that is, from the national government. The conditions, social and political, described by Fr. Pichot as prevailing in France are fortunately not verified in our midst, and there is consequently here no urgent demand for the remedies he proposes. At the same time the principles and theories established by the great Italian moralist are not without application to the forms and conditions of modern government, in all of which the persuasion is constantly deepening in the popular consciousness that the people alone, independently of God, are the one source of authority. The special value of Taparelli's work to the student of political science is that its author has discussed with the breadth of view, depth of principle, and appositeness of illustration that characterize his "Saggio di Dritto," the nature and reality of civil authority in the abstract and in the concrete. To this subject the third part of the present work is devoted. The fourth and last part deals with the questions as to the times and conditions in which a people

may be regarded as emancipated, and, therefore, free to establish for themselves an independent form of government. The false revolutionary theories on this head are refuted, and the author's teaching set forth with strength and yet with just moderation.

Let us say, in conclusion, that the translation is well-nigh perfect. There is no trace of Italian idiom. The thought stands out in the transparency which only the French know how to impart to metaphysical subjects.

ENERGIE ET LIBERTÉ, PAR MGR. ELIE MÉRIC. Paris: Pierre Tequi, Libraire, 29 Rue de Tournon. 1897.

There is the strength of true freedom, and the freedom of true strength in the thought and expression with which Mgr. Méric opens this, his latest work : " The race of men of character amongst us," he says, "is growing extinct. Indifference and skepticism have wrought profound ravages in minds, in consciences, and in wills." The allegation is not that of a hypochondriac, but of a broad-minded philosopher who has gone deeply into the principles, speculative and practical, that are operative in the generation which he has made the subject of his life study. They are the expression of a large-hearted priest who loves his fellow men with all their faults, and because he loves them is not afraid to subject himself for their sake to the opprobrious epithets so often flung at those who expose the weaknesses and vices of society. " I seek in vain," he goes on to say, "in our generation, those profound convictions which beget an ardent love, a great thought, the generous passion of sacrifice. In politics, in religion, in morals, cultured minds have opinions; they have no convictions." The causes of this prevailing decay of character he traces first to the enfeeblement of reason. " Reason wounded, weakened, unsteady, has lost the energy without which there can be neither conquest of truth nor possession of unshaken conviction." This he shows to be the case not only in the educated stratum of society but in the masses of the people. " The indifferent denials of skepticism, the re-echoed blasphemies of impiety are heard daily in the house of the poor and ignorant, at his fireside and in his workshop." Nor is the decay of reason confined to those outside the pale of Christianity. " Amongst those also who seem still to have faith and to profess religion there is a large number which suffers from the wounds of skepticism and

indifference. They make two parts of their conscience; they are at once Catholics and skeptics; they avoid with care the scandal of loud negation and of doubt in their profession; but they practise a secret eclecticism, and make their own selection as to dogma, principles of morality, and conduct of life."

A second cause of the decline of character he finds in the enfeeblement of will engendered and fostered by determinism, philosophical and physiological. Of these two forms of fatalism the latter is more dangerous, because it steals easily into the popular mind under the witchery of science. "The physiological deterministes liken the mind, and will, conscience to the other functions of the organism, considering the former as vibratory accidents of the same nature and subject to the same unchangeable laws of necessity as the latter. The distinction between necessary and free acts they regard as a philosophical and puerile illusion in conflict with facts; our actions they hold to be movements akin to those found in animals, plants, minerals—movements fatally determined."

We are witnesses of the practical consequences of these theories. "The ardent quest of pleasure has become the principal, and perhaps the sole, motive with men who have ceased to believe in human freedom. Hence that intense thirst for gain which recoils before no disgrace, which braves every trial; hence the rapidly gathered fortunes that seem a bold defiance of justice, and an outrage of misery; hence the feverish stock-jobbers and rash and dishonest *coups de bourses*, and the sudden catastrophes that swallow up the poor and plunge despairing families into wretchedness; hence those financial and rotten enterprises wherein the simplicity of the victims equals the criminal effrontery of the adventurers; hence, the pitiless and reposeless struggle to crush out the weak, suppress the vanquished, and clear the way to reach, by shame that no longer provokes a blush, the conquest of gold which has become the idol of a people that pretends to dispense with God."

The results of determinism, as logically wrought out in the working classes, is not difficult to discern. "The example shown by the upper classes of society has made ravages amongst the lower orders; the will of the people has lost its direction, its energy for sacrifice, its tranquil joy in resignation. For the authority of the will, checked and regulated by conscience and moral law, sophist philosophers have substituted the blind skepticism of instinct and passion. The people have not understood the sophisms of deter-

minism nor the scientific apparatus by which the idea of liberty and responsibility has been undermined in reason. But they have realized that if they be irresponsible, they have nothing to fear beyond the grave, and that passion may henceforth rule in their outraged soul. They have joined with the sophists to follow that passion, and to seek for brutal pleasures, and they look to violence for that which their leaders expect from dishonest shrewdness and financial peculation."

The author goes on to describe the fires that have been enkindled by an atheistical philosophy made popular by a licentious press, and to point out the disasters with which the very fabric of society is menaced if the flames now smouldering break forth from their barriers. The picture is powerful, lurid with the colors reflected from the Revolution of a century ago. We need not retrace the picture here. The author is telling of the present state of French society. Providentially for us, the conservative forces of the American character have so far proved stronger than the disintegrating and revolutionary influences of theories that float through the channels of print.

A third cause of the decline of character Mgr. Méric finds in the perishing of the Ideal. The chivalrous sentiments of a former age have disappeared. The ideals of truth, of goodness, of beauty, have yielded to a gross realism in thought, in love, in action. A fourth cause of disorder he sees in the political and social organization effected without regard for the over-ruling of Providence. Legislation is Godless. So too is education. "The painful, social experience, however, of which we are witness, has not yet produced all its fruits. We behold only that which a people become without God. To-morrow may have in reserve for us more cruel surprises, and graver subject for sorrow. Happy they who shall pass the trial without loss of hope!" He proceeds to show what motives for hope there are in that "virile and Christian minority—prudent and resolute—which, ever docile to the teachings of the Church, ever generous in their devotion to their country—passionate for the religious truths whose defense they undertake,—stronger than honors, fortune, pleasure, whose utter emptiness they have measured, and smiling before death which promises them the eternal realization of their hopes." With this minority shall be the victory.

The picture painted by Mgr. Meric in his introduction is stronger in shades than in lights. How faithful it may be to the reality as existing in his own country he is most fitted to judge. That it is

not the expression of a pessimistic fancy may be *a priori* inferred from the general temper of the author's many other works. But the safest criterion will be found in the body of the present volume. The contents fall, with the title, into two halves. The first deals with the nature of liberty. The three opening chapters present a thorough study of human liberty in itself, in its sources and in its bearing on the passions. The author here shows himself familiar not only with the psychological, but also with the physical and physiological aspects of the subject. The objections raised by modern theories are carefully weighed and answered. The fourth and fifth chapters on the relation of freedom to sacrifice and character, are treated from a theological and moral point of view.

In the second half of the work the subject of energy—energy of mind, of character, of will, is discussed; its necessity both in the natural and supernatural order established; its relation to God, to religion, to personal sincerity explained, the insufficiency of natural means for its acquirement proven, and the true art of reaching it set forth.

The subject of human liberty has recently been very thoroughly treated by sound philosophical writers in France, notably by MM. Fonsegieves, Domet de Vorges, Piat, Gardair and others. Mgr. Méric has made a valuable addition to the existing literature by the practical bearing on the conduct of life, individual and social, he has given to his theme, particularly as regards its second half, that namely, on Energy. Priests will find in the book an abundance of ideas, facts and illustrations available for solid discourses. It will also be found helpful for the souls of persons whose minds have been infected by the poison of positivist philosophy.

F. P. S.

PHILOSOPHIE DE S. THOMAS: La Nature Humaine, par M. J. Gardair. Paris: P. Lethielleux, 10 Rue Cassette. pp. 416; pr. 3½ Francs.

M. Gardair has enriched the literature of neo-scholastic philosophy by several important works, treating respectively of the human body and soul, the nature and genesis of knowledge, the passions and the will. The work here at hand, though last to appear, has a certain priority in so far as its subject, human nature, is the efficient principle physical and psychical, and, when once known, logical also, of the faculties and phenomena which form the subject-matter

explained by the author in the earlier portions of his course. The purpose of the present work is suggested by its primary title. It aims, like its companion volumes, at presenting its subject as reflected from the works of St. Thomas, with such additional light as may be gathered from more recent sources. The author begins by showing that the doctrine of St. Thomas contains a philosophy as well as a theology, and that in that philosophy human nature is viewed as a microcosm, a summary in miniature of creation. On one side human nature is corporal, on the other spiritual, and consequently in the latter immortal. This fact calls for a study of the nature of matter, and an explanation of the peripatetic theory of matter and form ; the teachings of modern physics and chemistry being here shown to be not contradictory, but rather confirmatory, of the Thomistic doctrine.

The human soul is the principle of life in the human organism. This fact demands an exposition of St. Thomas' definition of life in general as phenomena and its noumena or principles ; and thus we are led through a study of the vegetative and the sentient principle in plant and brute respectively, up to the teaching of St. Thomas on the nature of the human soul as a simple spiritual substance informing the human body.

The author next treats of the duration of "substantial forms," showing that while the sub-human perish with the dissolution of their respective organisms, the nature of man's soul demands an origin by direct creation, and an immortal perdurance. The conjunction of a "substantial form" with its material coefficient into the unity of a composite nature in the inferior creation, has its analogue in man, where the spiritual principle is seen to be the root at once of vegetativity, sensitivity and intellectual phenomena. The manner in which the soul resides in the body, to which it communicates "esse et operari," is next explained. Thus far the discussion has concerned human nature in general. Man, as an individual, is now presented, the principle of individuation exhibited, and the doctrine of St. Thomas, as regards the successive stages in the generation of the individual, defended. The work closes with an exposition of the mind of St. Thomas on the powers and modes of operation retained by the soul on its separation from the body. From these suggestions it will be noticed that the author has followed closely the main lines of metaphysical psychology with the introduction of as much matter from cosmology and general biology as was requisite to present the underlying principles of his specula-

tion. He shows throughout a perfect acquaintance with the thought of St. Thomas, which he presents so luminously and simply that the reader of average philosophical power can easily assimilate the subject-matter.

PASTORAL LETTER for Lent A. D. 1897, for the Archdiocese of Santa Fe.

CARTA PASTORAL para la Cuaresma de 1897. Placido Luis Chapelle, Arzobispo de Santa Fe.

PASTORAL LETTER of the Right Rev. John Cuthbert, O.S.B., Bishop of Newport (England). Lent, 1897.

Among the most important ecclesiastical publications are frequently the Pastoral Letters of our Bishops. They touch questions of the hour and topics intimately connected ith the moral growth of the people, and their special worth lies in the fact that they are begotten of an immediate realization of the actual needs in Catholic education and ecclesiastical discipline.

We select two typical instances in the excellent Letters of Archbishop Chapelle, and Bishop Hedley, of Newport, and would also call attention to the Pastorals of several of the Irish Bishops who, as if by united design, warn their people against the secret societies whose emissaries are making new efforts to draw the Catholics of Ireland into their toils. This is the burden of the letters of Cardinal Logue, Archbishop Walsh, the Bishops of Derry, Dromore and others.

The Archbishop of Santa Fe deals with the fundamental evil which is making itself felt in its results everywhere in our States—that of a defective training in matters of Christian doctrine. We are losing thousands upon thousands of intelligent young men and women, who fall away from the Catholic Church for the simple reason that they do not grasp its vital principles and healthful teachings. In his missionary rounds through a vast district, confirming within the last five years some 26,000 people, the Archbishop has come face to face with the lack of Catholic training. Hence, he points out to the clergy and people the need and method of remedying the evil. In a thorough and systematic way he develops the duty of the Christian in face of the dangers which beset our society; he traces the methods by which to acquire that most essential wisdom of life, true

religiousness ; he urges upon pastors to teach, on the people to learn, on both to practice the Catholic faith. He warns against dangerous reading, suggests what to read, and in this connection dwells with especial emphasis upon the self-sacrificing spirit and excellent labors of the Jesuit Fathers in his missions, who work without stint for the moral and intellectual improvement of the people.

The second part of the Pastoral deals in detail with the question of Catholic education of the young. It gladly allows that the State has the right and duty to see that citizens are properly fitted for their duties as members of civil society, but it vindicates the right of the parent to educate the child in its moral and religious obligations without interference from the civil power. There is a spiritual citizenship which the Church claims for herself.

To make this principle effective the Archbishop emphasizes the duty of the pastors to teach. As in many districts the population is almost exclusively Catholic, priests find no difficulty in instructing the children of the public schools, some of which are taught by the religious. The one need is vigilant and prudent zeal in the use of the opportunities afforded the clergy of the district.

Bishop Hedley, whose charming and spiritual style of writing makes his admonitions so welcome, deals in his Pastoral with the necessity of observing the decorum of the liturgical service of the Church. He lays stress especially upon the use of music, and the rules laid down for the direction of the sacred chant. "Gregorian chant, in order to be appreciated, requires study, use, and intelligence. . . . By attention, repetition, comparison—by the use of association, reflection and intelligence—music can be made to reach not only the ears and the feelings, but the heart, the imagination, the reason, the spiritual soul. But in order to produce its deepest and most spiritual effects, music must first of all be of such strong texture and worthy idea, as to be removed from the obviousness which speedily passes into staleness ; and, secondly, it must be associated with words. When we speak of Gregorian Chant—or, indeed, of any good and real Church Music—we do not speak of music merely as such, but of music which can only open upon the mind by study, and which is associated with words the holiest and most sublime. . . . There is history in every phrase of it. Its progressions, its rises and falls, its intonations and its endings, are not heard in the modern world—not heard in the theatre, or the concert-room, or the street. He who would use it, must seek it apart, where the steps of men do not

tread—as if he sought some old-fashioned flower, neglected and rare, to put upon the steps of the altar." The Bishop shows how the appreciation of true Church music is gradually making its way back into the convictions of the clergy. "It is now seen that Church music ought to be music of a distinct and peculiar kind. In proportion as the matter is looked into it becomes clear that what Church music has to do is to carry the sacred words of the Liturgy."

But Bishop Hedley realizes that the means of learning and executing the Church's own Chant are in many places inadequate. Hence he considers the question of using other kinds of music in the sacred Liturgy. "It is perfectly true that the Church admits and allows, even in the Mass, music which is not Gregorian Chant; but not every kind of music is permitted in Church, whether at Mass or at other times." To make the distinction between what is licit and what is unbecoming more clear and practical, the learned prelate, who, we understand, is also an accomplished musician, lays down a few brief rules grounded on sound liturgical principles, and confirmed by the authoritative declarations, especially during the last quarter of a century, of the Holy See. The directions of the Pastoral on this point are as applicable in the United States as they are in England.

"The first rule is taken word for word from the Ordinance published by Pope Leo XIII, two and a half years ago: 'In order to move the faithful to devotion and to be worthy of the house of God, all musical compositions used in the Church should be impregnated with the spirit of the sacred service at which they are used, and should religiously correspond with the meaning of the ritual and of the words.' This needs no commentary. But let us place side by side with it the admonitions set down by the great St. Bernard, seven hundred years ago. 'Let the Chant,' says the great doctor, 'be full of gravity; let it be neither worldly nor too rude and poor. . . Let it be sweet, yet without levity, and whilst it pleases the ear, let it move the heart. It should alleviate sadness, and calm the angry spirit. It should not contradict the sense of the words, but rather enhance it,'" etc.

The Bishop directs that, whatever is sung in the Church should be approved by the priest, and not merely selected by the choir. This supposes that priests be capable of forming a correct judgment in the matter, which is entirely just. The capacity for sufficient appreciation and training in the right execution of the liturgical

service may rightly be made a question of true vocation to the priesthood.

It would prevent much trouble in church choirs if the rule mentioned by Bishop Hedley were in force everywhere, viz: "It is forbidden to have solos at Benediction and whenever the Bl. Sacrament is on the altar." In the same way all music, vocal or instrumental, which is worldly and profane, or suggestive of the theatre, is to be banished from the churches of his diocese.

Finally, the Pastoral reminds those who sing in our churches that they are "in a certain sense ministers of the Altar; for they perform an office which, in the early ages, was discharged by ordained ministers. This is true most particularly of the Holy Sacrifice; here they accompany, support and answer the priest, who, in his official garments, offers in the name of Christ Jesus the Sacrifice of the New Covenant. A singer, therefore, in the Catholic Church, should be a devout Catholic, earnest and careful in behaviour, striving to understand what is sung, and ready to take such pains in learning and preparation that the laws of the Church may be obeyed, full justice done to the music, and the faithful edified and drawn to God. Singing should never be made an occasion for gratifying vanity or displaying vocal resources. All music which tends to bring some particular performer into prominent notice is better avoided. St. Bernard, speaking of certain singers of his day, said: 'they sing to please the people rather than God.'"

RZYM. Opisal Ks. Waclaw Kruszka. 1895—Czcionkami "Kuryera Polskiego," Milwaukee, Wis. 4to. Pp. 112.

Our Polish Catholics in the United States are beginning to build up a literature of their own. The handsome quarto volume before us is a testimony to their proverbial attachment to the Holy See. It contains a descriptive history of Rome and all the various scenes in the Holy City to which the Catholic memory clings with especial fondness. Loyalty to the See of St. Peter is one of the best means to secure amalgamation of the different nationalities which settle in America, because it inspires them with respect for authority as coming from God, and thus fosters obedience in spiritual things to ecclesiastical superiors, and in all other rightful matters to the civil authority. The truest lovers of Catholic unity under the Vicar of Christ are sure to prove themselves the most ardent and loyal defenders of American institutions. Hence books of this kind foster a distinct good.

ANSWER TO DIFFICULTIES OF THE BIBLE. By Rev. John Thein. (Copyright by the Author.)—B. Herder, St. Louis, Mo. 1897. pp. 628.

At this time few books may lay greater claim to popularity, by reason of the subject they treat, than the one before us. The difficulties of the Bible are thrust upon every believing man, not so much in the form of difficulties as rather of objections by which Revelation is made to be a tissue of contraditions, and faith, in the Christian sense of the word, an absurdity. The half-educated, and those who educate themselves in specialties,—losing in breadth what they gain in a partial accuracy,—or those who educate themselves not to see what is disagreeable, are easily won over to the sceptic criticism which is so plausible in its logic, and so humane in its conclusions. On the other hand, we find the men of thoughtful temper, of broad mental capacity, careful students of fundamental philosophy and exact science, quite ready to admit the thorough reasonableness of revealed religion, quite apart from the peace it secures to those who live by its precepts.

Father Thein has, therefore, undertaken a timely and appreciable work in formulating an answer to the principal difficulties of the Bible, and that for the general reader to whom those difficulties are apt to appeal as real.

The work covers the entire ground beginning with the Pentateuch and its numerous critical topics, down to the Apocalypse which the author vindicates against the fantastic assertions of the brilliant Renan. The treatment of the separate subjects shows wide reading and a judgment free from that normal bias which—especially in religious minds which are not spiritual at the same time—finds it so difficult to adjust itself to novel facts, and to admit reasons not previously considered against accepted tradition. The author's explanation of the Mosaic Cosmogony, his account of the origin of man, the chronological differences of the biblical records, etc., are supported by well-known and established authorities. His exegesis of the miraculous (real or seeming) events of the early Bible history is thoroughly reasonable, and quite within the lines of orthodoxy. The "standing sun" of Joshua has nothing strange in it if rightly read. The lie of Jacob, though the occasion of a preordained blessing, is shown to have no relation to it as cause and effect. The story of Jonas is quite credible in the light of facts. Moreover, the author gives us a great deal of valuable information about the authenticity

and origin of the Scripture-Books, their special purpose as historical, prophetic or didactic works; and thus puts the student or reader in position to correct false, though, perchance, traditional views about biblical topics, which have received new light and interpretation from the study of the ancient languages and monuments, without changing the doctrinal aspects of Revelation.

Here and there we would suggest a change or addition in matters of some importance, such as, for instance, the facts which support the argument in favor of the universality (as to mankind) of the Noachian deluge. It has hitherto been assumed that the negro tribes of Africa have no tradition of a universal deluge, such as is found among all other races, including the Indians of the two Americas. This assumption has recently been overturned by repeatedly confirmed evidences which undo the supposed (though negative) proof that the descendants of Seth, surviving in the negro races, were not included in the destruction.

Whilst we have nothing but what is favorable to say of Fr. Theim's work as to its general purpose and scope, we should be misleading our readers, as regards the character of the book were we to pass unnoticed certain decided blemishes in its make-up. These are all the more to be regretted, as they might have been easily avoided, whilst their presence is likely to prevent the wide circulation which a book of this kind should otherwise merit for itself. We can only call brief attention to them in the hope that the author will undertake to remove them in another edition.

First of all, the English is "as she is spoke" among Germans. We use an exaggerated term to characterize the defect, because people who read English to-day are more fastidious on this point than they were formerly when truth weighed much against the style of truth. As the English translators of Janssen's History have done the author an injury by glaringly misrepresenting his ideas in some instances, so our author injures his own work by the halty Germanizing style which, whatever the beauty of its native quality to native ears, is distasteful to those not familiar with the original.

A second fault is the neglect to properly credit his sources. It is true the writer allows in his preface that he has culled from various authors. He mentions Jaugey, Vigouroux and Mgr. Meignand (Cardinal Meignan?). These are French. But he says nothing of the English authors, who of all others are entitled to such courtesy, especially when their works have been freely used by taking entire pages *literally* from them without quotation marks or slightest refer-

ences to the original. Neither Fr. Glancey and Dr. Schobel will think the treatment given their labor just, even though it was only that of translating, nor is Dr. Schanz likely to think it courteous in his American confrere to have his labor reproduced without mention of his name.

A good revision, entrusted to hands that can polish in the American fashion (which must be paid for) will add tenfold to the work of the book and repay the outlay; whereas in its present form it will retard the effect intended by the author of a valuable work.

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